

WEDNESDAY, MAY 27, 1981
FIFTY-FOURTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Evangelist Alton Garrison, Dallas, Texas.

Representative Duncan led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 93

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Nafteh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—93.

The Speaker announced that Representative Buck was excused because of business.

The Speaker announced that Representative King (Shelby) was excused because of death in the family.

The Speaker announced that Representative Stafford was excused because of illness.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 643, with his approval.

JULIA GIBBONS,
Counsel to the Governor.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 724, 729, 983, 1105, 1267, 1358 and 1359; and House Resolutions Nos. 49, 59, 67, 68, 69, 70, 71, 73, 75 and 76; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 724, 729, 983, 1105, 1267, 1358 and 1359; House Resolutions Nos. 49, 59, 67, 68, 69, 70, 71, 73, 75 and 76.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1358 and 1359; both signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1358 and 1359; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 318—To make certain provisions, form of negotiable instruments.

SENATE AMENDMENT NO. 2

Amend House Bill No. 318 by deleting the words and punctuation “adjusted note, reverse annuity note, or other similar instrument” and substituting instead the words and punctuation “adjusted note, or reverse annuity note” in the amendatory language of Section 1.

SENATE AMENDMENT NO. 3

Amend House Bill No. 318 by deleting the following:

“The maker of the note or instrument shall be entitled in a court of law any defense against a subsequent holder of the note or instrument that he was entitled to against the original holder of said note or instrument.”

SENATE AMENDMENT NO. 4

Amend House Bill No. 318 by striking out Section 1 in its entirety and substituting in lieu thereof the following:

SECTION 1. Tennessee Code Annotated, Section 47-3-104, subsection (1), is

amended by deleting item (b) in its entirety and substituting in lieu thereof the following language:

(b) Contain an unconditional promise or order to pay (i) a sum certain in money, (ii) a sum in money which is determinable by a formula as provided in the writing, whether or not such formula requires the use of extrinsic criteria, or (iii) a sum of money the amount of which is subject to renegotiation upon either the passage of time or the occurrence of an event.

AND FURTHER AMEND Section 2 by adding the word “or” after the words “rate of interest;” in item (f);

AND FURTHER AMEND by renumbering Section 3 as Section 4, and by inserting the following new Section 3:

SECTION 3. Tennessee Code Annotated, Section 47-3-106, subsection (1), item (e) is hereby amended by changing the period at the end thereof to a semi-colon, and by inserting immediately after said semi-colon the word “or”.

Mr. Davis (Hamilton) moved that the House concur in Senate Amendments Nos. 2, 3 and 4, which motion prevailed by the following vote:

Ayes	79
Noes	2
Present and not voting	4

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Crain, Davidson, Davis (Gibson), Davis (Hamilton), Dills, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—79.

Representatives voting no were: McKinney and Shirley—2.

Representatives present and not voting were: Covington, DePriest, Henry (Blount) and Spence—4.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 725—To establish resident hunting and fishing licenses and fees.

SENATE AMENDMENT NO. 1

Amend House Bill No. 725 by deleting from the amendatory language of Section 1 the following:

“3. Trapping 25.00”

and substituting instead the following:

“3. Trapping 11.00”.

SENATE AMENDMENT NO. 2

Amend House Bill No. 725 by adding the following sentence at the end of subsection (1) A. in Section 1:

Provided, however, that no license shall be required for trapping beaver.

SENATE AMENDMENT NO. 8

Amend House Bill No. 725 by striking the bill in its entirety and substituting Senate Bill No. 1166.

SENATE AMENDMENT NO. 9

Amend House Bill No. 725 by deleting from the amendatory language of Section 1 the following:

3. Trapping 25.00

and Substituting instead the following

3. Trapping 11.00

SENATE AMENDMENT NO. 10

Amend House Bill No. 725 by adding the following sentence at the end of Subsection (1) A. in Section 1:

Provided however, that no license shall be required for trapping Beaver.

Mr. Hillis moved that the House non-concur in Senate Amendments Nos. 1, 2, 8, 9 and 10, which motion prevailed.

REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL NO. 753

The House and Senate Conference Committees appointed pursuant to motions to resolve differences between the two houses on Senate Bill No. 753/House Bill No. 573 have met and recommend that SB 753 (HB 573) be amended by adding the following preamble prior to the enacting clause:

WHEREAS, it is the intent of this act to promote the purposes set out in Tennessee Code Annotated, Section 47-1-102, by further clarifying, simplifying and modernizing the law governing commercial transactions; and

WHEREAS, this act shall accommodate purchasers who desire to add on additional purchases to prior transactions and/or to extend payment terms and time, while insuring that the seller retains a purchase money security interest in applicable unpaid collateral without the necessity of having given present consideration as to same; now, therefore,

AND FURTHER AMEND by deleting Section 1 in its entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 47-9-107, is amended by deleting the word "or" at the end of subsection (a), by deleting the period at the end of subsection (b) and substituting instead a semicolon (;) followed by the word "or" and by adding a new subsection as follows:

(c) Under subsections (a) and (b), a purchase money security interest upon any unpaid balance in pre-existing collateral arising pursuant to a series of purchases or extension of payment time and terms. Provided, however, that whenever the collateral is consumer goods, the creditor retains no purchase money security interest in any property as to which he has received payments aggregating the amount of the sale price including any finance charges attributable thereto. For the purposes of this section, in the case of items purchased on different dates, the first item purchased shall be deemed the first paid for, and in the case of items purchased on the same date, the lowest priced item shall be deemed first paid for.

FOR THE SENATE

Senator Albright

Senator Rucker

Senator Bill Jim Davis

FOR THE HOUSE

Representative Rhinehart

Representative Spence

Representative Bell (Knox)

Mr. Rhinehart moved that the Report of the Conference Committee on Senate Bill No. 753 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	87
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—87.

Representative voting no was: McKinney—1.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.

420—To amend certain regulations, Department of Safety.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

FURTHER CONSIDERATION OF HOUSE BILL NO. 798

House Bill No. 798—To make provisions, Defense Counsel Commission.

Mr. Rhinehart moved that the House pass House Bill No. 798, notwithstanding the objections of the executive.

Mr. Wallace moved the previous question, which motion prevailed by the following vote:

Ayes	68
Noes	15
Present and not voting	1

Representatives voting aye were: Akard, Bell (Wilson), Bewley, Bivens, Bragg, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Ford, Gill, Hillis, Hudson, Hurley, Huskey, Johnson, Jones, Kelley, Kent, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Spence, Stallings, Starnes, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Wix and Yelton—68.

Representatives voting no were: Clark (Sumner), Duer, Frensley, Harrill, Henry (Blount), Henry (Roane), Montgomery, Moore, Percy, Smith, Sterling, Ussery, Wolfe, Wood and Work—15.

Representative present and not voting was: Kernell—1.

Thereupon, the motion to pass House Bill No. 798, notwithstanding the objections of the executive, prevailed by the following vote:

Ayes	60
Noes	31
Present and not voting	1

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Burnett, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Hurley, Jared, Johnson, Jones, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Small, Spence, Stallings, Starnes, Tanner, Turner, Wallace, Webb, Wheeler, Wix, Work, Yelton and Mr. Speaker McWherter—60.

Representatives voting no were: Baker, Bewley, Carter, Chiles, Clark (Sumner), Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Huskey, Kelley, McAfee, McNally, Martin, Montgomery, Moore, Murray, Percy, Robertson, Severance, Shockley, Smith, Sterling, Ussery, Whitson, Wolfe and Wood—31.

Representative present and not voting was: Bell (Knox)—1.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1362—To amend Chapter 329, Private Acts of 1970.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1362 by inserting new sections immediately before Section 2 and renumbering subsequent sections accordingly:

Section 2. Section 3 of Chapter 329 of the Private Acts of 1970, as amended by Chapter 168 of the Private Acts of 1975 and Chapter 285 of the Private Acts of 1980, is amended by deleting item A in its entirety and substituting instead the following new subsection A:

A. Two-fifths (2/5) of the twenty-five dollars (\$25.00) motor vehicle tax shall be deposited in the cost debt service account to be used for the purpose of retiring principal and interest on those high school bonds authorized during calendar year 1970 and upon the repayment of such school bond issue, such portion of this tax shall be deposited into the county debt service account for the payment of any county bonds which have been issued or may hereafter be issued.

Section 3. That portion of the motor vehicle tax in the amount of ten dollars (\$10.00) allocated by item A of Section 3 of this act for the retirement of the 1970 high school bonds issue shall terminate and cease to be effective on June 30, 1982 and the amount of tax levied by this act shall be reduced accordingly unless in an election on the question of whether or not that portion of the motor vehicle tax shall continue to be levied, a majority of the number of qualified voters of the county voting on the question approve such tax. The county election commission of Rutherford County shall call an election for Rutherford County to be held on the same date as the primary election for county offices in May 1982, for the purpose of approving or rejecting such tax.

The ballots used in the election shall have printed on them the substance of this section and voters shall vote for or against its approval. The votes cast on the question shall be canvassed and the results proclaimed by the county election commissioners and certified by them to the Secretary of State as provided by law in the case of general elections. The qualifications of voters voting on the question shall be the same as those required for participation in general elections. All laws applicable to general elections shall apply to the determination of the approval or rejection of this act. The cost of the election shall be paid by Rutherford County.

Mr. Bragg moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	92
Noes	1
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—92.

Representative voting no was: Moore—1.

Representative present and not voting was: Sterling—1.

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

71—To amend Sections 69-101, 69-102 and 69-103, Code.

The Senate refused to adopt the Conference Committee Report.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

APPOINTMENT OF NEW CONFERENCE COMMITTEE

The Speaker appointed Representatives Murphy (Davidson), King (Washington) and DePriest as the second Conference Committee on House Bill No. 71 to meet with a like committee from the Senate to resolve the differences of the two bodies on the bill.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

71—To amend Sections 69-101, 69-102 and 69-103, Code.

The Speaker appointed a new Conference Committee composed of Senators White, Rucker and Hooper to confer with a like Committee from the House to resolve the differences of the two bodies on House Bill No. 71.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

FURTHER CONSIDERATION OF HOUSE BILL NO. 71

House Bill No. 71—To make certain provisions, awards of public contracts.

Mr. Murphy (Davidson) moved that the motion to reconsider be lifted from the table, which motion prevailed.

Mr. Murphy (Davidson) moved that the House reconsider its action in adopting the first Conference Committee Report on House Bill No. 71, which motion prevailed.

Mr. Murphy (Davidson) moved that the first Conference Committee Report on House Bill No. 71 be withdrawn, which motion prevailed.

SECOND CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 71

The Conference Committee appointed to resolve the differences concerning House Bill No. 71 adopted the following report:

Amend House Bill No. 71 by striking Section II(c) in its entirety and by substituting therein the following language:

“(c) The Attorney General and Reporter of the State shall have the power to institute criminal proceedings against persons and corporations for violations of the provisions of sections 69-101 or 69-102, that involve the award of a contract by the State. However, the Attorney General and Reporter shall have jurisdiction to institute criminal proceedings that involve violations on contracts awarded by political subdi-

visions of the State upon the written request of the local district attorney general.”

Rep. C.E. DePriest
Rep. Mike Murphy
Rep. Robert Lewis King
Sen. James H. White
Sen. John R. Rucker

Mr. Murphy (Davidson) moved that the Second Report of the Conference Committee on House Bill No. 71 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	85
Noes	9

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Henry (Blount), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Lowe, McAfee, McKinney, McNally, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—85.

Representatives voting no were: Bewley, Chiles, Duer, Harrill, Henry (Roane), Montgomery, Percy, Robertson and Scruggs—9.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF AMENDED BILL

House Bill No. 1098—To authorize certain cities to contract for city services.

Mr. Tanner moved that the House refuse to recede from its action in nonconcurring in Senate Amendment No. 1 to House Bill No. 1098, which motion prevailed.

Mr. Tanner moved that the Speaker appoint a Conference to meet with a like committee from the Senate to resolve the differences between the House and Senate on House Bill No. 1098, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Wallace, Naifeh and Tanner as the Conference Committee on House Bill No. 1098.

FURTHER CONSIDERATION OF AMENDED BILL

House Bill No. 267—To appropriate funds, Institute of African Affairs.

Mr. Withers moved that the House refuse to recede from its action in nonconcurring in Senate Amendment No. 1 to House Bill No. 267, which motion prevailed.

Mr. Withers moved that the Speaker appoint a Conference to meet with a like committee from the Senate to resolve the differences between the House and Senate on House Bill No. 267, which motion prevailed.

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Withers, Burnett and McKinney as the Conference Committee on House Bill No. 267.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 672—To amend Section 33-604, Code.

SENATE AMENDMENT NO. 2

Amend House Bill No. 672 by deleting from the third paragraph of the amendatory language of Section 1 as amended the words "the parent, guardian, spouse, or responsible adult relative of the individual" and substituting instead the words "a licensed psychologist, licensed psychiatrist".

SENATE AMENDMENT NO. 3

Amend House Bill No. 672 by deleting the period at the end of the first sentence of the third paragraph of the amendatory language of Section 1 and adding in its place the following:

"; the individual has been provided written notice that such statement has been filed and the court has held a hearing, at which the individual is present, to find that the condition alleged in the statement exists."

Mr. Murphy (Shelby) moved that the House nonconcur in Senate Amendments Nos. 2 and 3, which motion prevailed.

CALENDAR

Mr. McKinney moved that House Bills Nos. 858, 859 and 860 be placed on the Calendar for Wednesday, June 17, 1981, which motion prevailed.

Mr. McKinney moved that House Bills Nos. 1015 and 1016 be placed on the Calendar for January, 1982, which motion prevailed.

FURTHER CONSIDERATION OF SENATE BILL NO. 175

Senate Bill No. 175—To amend Title 40, Chapter 8, Code.

Mr. Kent moved that Senate Bill No. 175 be passed on third and final consideration.

Mr. Spence moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 175 by adding a new section immediately preceding the effective date section and renumbering the subsequent section accordingly:

Section.— If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, the amendment was adopted.

Mr. Kent moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 175 by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

Section—. The provisions of this act shall only apply to counties having a population of over 700,000 according to the 1980 federal census of population or any subsequent federal census of population.

Section—. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 175, as amended, passed its third and final consideration by the following vote:

Ayes	88
Noes	5

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—88.

Representatives voting no were: Bell (Knox), DeBerry, Jones, Robinson (Davidson) and Shirley—5.

A motion to reconsider was tabled.

House Bill No. 1382—To amend Section 45-3-601, Code.

Mr. Tanner moved that House Bill No. 1382 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—92.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Joint Resolution No. 240—Relative to honoring Vanderbilt University.

House Bill No. 1379—to repeal Chapter 413, Private Acts of 1939.

House Bill No. 1384—To amend Chapter 34, Private Acts of 1945.

Mr. Gill moved that all House Bills on the Consent Calendar be passed on third and final consideration, and the House Joint Resolution on the Consent Calendar be adopted, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

Mr. Ford moved that the rules be suspended for the purpose of considering House Bill No. 1386 out of order, which motion prevailed.

On motion, the rules were suspended for the immediate consideration of the bill.

House Bill No. 1386—To create county budget committee, Cocke County.

Mr. Ford moved that House Bill No. 1386 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—87.

A motion to reconsider was tabled.

Mr. Ford moved that the rules be suspended for the purpose of considering House Bill No. 1387 out of order, which motion prevailed.

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

House Bill No. 1387—To enact new purchasing law, Cocke County.

Mr. Ford moved that House Bill No. 1387 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—90.

A motion to reconsider was tabled.

Mr. Miller moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 155 out of order, which motion prevailed.

Senate Joint Resolution No. 155—Relative to Joint Convention, 1982 Session, Knoxville.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Joint Resolution No. 155 by adding the word “only” between the figure “1982” and the words “to recognize” in the first resolving clause.

On motion, the amendment was adopted.

Thereupon, Senate Joint Resolution No. 155, as amended, was concurred in by the following vote:

Ayes	83
Noes	4
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Brewer, Burnett, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter—83.

Representatives voting no were: Bragg, Phillips, Spence and Work—4.

Representative present and not voting was: Duncan—1.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF HOUSE JOINT RESOLUTION NO. 192

House Joint Resolution No. 192—Relative to tax relief, elderly low income tax payers.

Mr. Yelton moved that House Joint Resolution No. 192 be passed on third reading.

At the request of the sponsor, House Joint Resolution No. 192 was read by the Clerk.

Thereupon, as required by Article XI, Section 3, Constitution of Tennessee, House Joint Resolution No. 192 passed its third reading by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

A motion to reconsider was tabled.

Mr. Naifeh moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 154 out of order, which motion prevailed.

Senate Joint Resolution No. 154—Relative to naming “Junius I. Grossett Memorial Bridge”.

Mr. Naifeh moved that Senate Joint Resolution No. 154 be concurred in, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—93.

A motion to reconsider was tabled.

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

Mr. Bragg moved that the rules be suspended for the purpose of introducing House Resolution No. 79 out of order, which motion prevailed.

House Resolution No. 79—Relative to honoring Sherry Loveday—By Bragg and Cobb.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Bragg, the resolution was adopted.

A motion to reconsider was tabled.

Ms. Bell (Knox) moved that the rules be suspended for the purpose of considering House Bill No. 1389 out of order, which motion prevailed.

House Bill No. 1389—To amend Chapter 54, Private Acts of 1939.

Ms. Bell (Knox) moved that House Bill No. 1389 be passed on third and final consideration, which motion prevailed.

Ayes	95
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of House Bill No. 21, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

On motion of Mr. Bivens, House Bill No. 21 was returned to the Senate as requested.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

21—To amend Section 49-603, Code.

The Senate lifted tabling motion, reconsidered passage of the bill, adopted Senate Amendment No. 2, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 21—To amend Section 49-603, Code.

SENATE AMENDMENT NO. 2

Amend House Bill No. 21 by deleting Section 2 in its entirety and substituting instead the following:

Section 2. This act shall take effect on July 1, 1981, the public welfare requiring it.

Mr. Bivens moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—93.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.

31—To amend Contractors Licensing Act of 1976.

The Senate refused to recede from its action in nonconcurring in House Amendments Nos. 1 and 5.

The Speaker appointed a Conference Committee composed of Senators Longley, Crockett and Davis (Shelby) to confer with a like Committee from the House in resolving the differences of the tax bodies on Senate Bill No. 31.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Wheeler moved that the Speaker appoint a Conference to meet with a like committee from the Senate to resolve the differences between the House and Senate on Senate Bill No. 31, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Hudson, Davis (Pickett) and Wheeler as the Conference Committee on Senate Bill No. 31.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.

420—To amend certain regulations, Department of Safety.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 420

The Conference Committee appointed to resolve the differences concerning Senate Bill No. 420 adopted the following report:

Amend Senate Bill No. 420 by adding the following as a new Section and renumbering the other sections appropriately:

"Subject to approval of the Department of General Services under the authority of Section 4-3-1105(10). The Department of Safety shall develop rules and regulations for the acquisition, assignment, use, and disposal of motor vehicles; such rules and regulations should promote the efficient and effective use of motor vehicles in law enforcement activities."

This would also be subject to the Department of Finance and Administration.

RESPECTFULLY SUBMITTED:

Sen. T. Tommy Cutrer
Sen. Carl Moore
Sen. Ray Albright
Rep. Gene Davidson
Rep. Bob Davis
Rep. Bo Henry

Mr. Davidson moved that the Report of the Conference Committee on Senate Bill No. 420 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensey, Gaia, Gill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—89.

A motion to reconsider was tabled.

Senate Bill No. 607—To amend Title 8, Chapter 34 through 37, Code.

Mr. Bragg moved that Senate Bill No. 607 be passed on third and final consideration.

Mr. Scruggs moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 607 by deleting item (2) of subsection (c) of Section 1 in its entirety and by substituting instead the following:

(2) For each employee whose employee contributions to the retirement system are assumed up to five percent (5%) of such employee's earnable compensation as of July 1, 1981, an annual payment and/or bonus of One Hundred Twenty-Five Dollars (\$125.00), effective each December 1, shall be made to each such employee who meets the following tests:

- 1. Employee was hired prior to July 1, 1981, and
- 2. Employee has been on the state payroll without any interruption in service for the twelve (12) months immediately preceding each December 1.

Payments to eligible employees shall be made no later than December 15 of each year.

Mr. King (Washington) moved that Amendment No. 1 be tabled, which motion prevailed.

Mr. Brewer moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 607 by deleting from subsection (d) of the amendatory language of Section 1 as amended the following:

"The resolution may provide that the employee contributions assumed by the employer pursuant to this act be refunded to the employee upon cessation of the employee's membership in the retirement system; and in such case, the employer-assumed employee contributions will be credited to the member's funds. However, unless so provided by the resolution, the employee contributions assumed by the employer shall not be credited to the member's fund to be refunded to the employee."

and substituting instead the following:

The employee contributions so assumed or paid by the employer on behalf of its employee shall be credited to the individual account balances of the employees for their employee annuities provided the employee was employed on the date of the employer's election to assume employee contributions to the retirement system and shall be considered employee contributions in accordance with Section 1 (c)(2) of this act as amended.

On motion, the amendment was adopted.

Mr. Rhinehart moved the previous question, which motion prevailed by the following vote:

Ayes	86
Noes	7
Present and not voting	1

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Withers, Wix, Wolfe, Wood, Work and Yelton—86.

Representatives voting no were: Duer, Ford, Kernell, Scruggs, Spence, Wheeler and Mr. Speaker McWherter—7.

Representative present and not voting was: Copeland—1.

Thereupon, Senate Bill No. 607, as amended, passed its third and final consideration by the following vote:

Ayes	91
Noes	3
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—91.

Representatives voting no were: Kernell, Spence and Wheeler—3.

Representative present and not voting was: Copeland—1.

A motion to reconsider was tabled.

EXPLANATION OF VOTE ON SENATE BILL NO. 607

Under House Rule 28, explanation of vote, I would like to explain my vote on House Bill 419, the state employees pay raise bill.

I do not feel that it is appropriate for legislators to vote themselves a raise at the same time they vote the state employees a raise. I do not feel that it is constitutional to include us in the pension plan provided in this bill. Though it does not constitute a raise as such, it will increase our pay, and therefore, with great regret I have voted against this bill. I feel that the state employees are underpaid, however, I cannot vote for something I think is unconstitutional.

I request that these remarks be spread upon the Journal.

Rep. John W. Spence

EXPLANATION OF VOTE ON SENATE BILL NO. 607

I voted aye on HB 419 (SB 607) because it is the bill providing for state employee pay raises. I oppose the fact that the General Assembly members are included in the non-contributory retirement proposal and had an amendment on the desk which would have eliminated General Assembly members which was cut off on a motion for the previous question on the bill. I intend to vote for the appropriations bill which funds this bill, that I have the same problems with it.

Rep. Jimmy Wallace

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 779—To authorize issuance of bonds, various state departments.

SENATE AMENDMENT NO. 4

Amend House Bill No. 779 by adding a new section in section 4, to read as follows: "The Building Commission staff shall advise members of the General Assembly of the action taken by the Building Commission on projects in their individual districts built from the proceeds of the bonds authorized and issued under this act."

SENATE AMENDMENT NO. 5

Amend House Bill No. 779 by adding to Item 15 of section 4 the following:

For the purpose of this item community development projects shall mean those projects built for a public purpose including but not limited to those defined in TCA 5-11-102 (9) and TCA 7-36-102 (9).

Mr. Henry (Blount) moved that the House concur in Senate Amendments Nos. 4 and 5, which motion prevailed by the following vote:

Ayes	91
Noes	4

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Duer, Duncan, Ellis, Ford, Frensey, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—91.

Representatives voting no were: Dills, McKinney, Shirley and Small—4.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 12, 146, 219, 547, 724, 729, 763, 983, 1036, 1073, 1105, 1267 and 1331; also, House Joint Resolution No. 158; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 75, 77, 104, 130, 159, 167, 224, 239, 251, 314, 323, 367, 381, 382, 388, 395, 769, 842, 858, 948, 956, 986, 1070, 1122, 1133, 1232, 1340 and 1341; also, Senate Joint Resolutions Nos. 120, 135, 143 and 156, all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 75, 77, 104, 130, 159, 167, 224, 239, 251, 314, 323, 367, 381, 382, 388, 769, 842, 858, 948, 956, 986, 1070, 1122, 1133, 1232, 1340 and 1341; and Senate Joint Resolutions Nos. 120, 135, 143 and 156.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 130, 131, 132, 136, 137, 138, 139, 144, 145, 146, 147, 148, 149, 150 and 153; also, Senate Bill No. 1393; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bill No. 1393; and Senate Joint Resolutions Nos. 130, 131, 132, 136, 137, 138, 139, 144, 145, 146, 147, 148, 149, 150 and 153.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 12, 146, 219, 547, 724, 729, 763, 983, 1036, 1073, 1105, 1267 and 1331; and House Joint Resolution No. 158; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 257—Relative to honoring Dr. Jess Parrish; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 377, 1358 and 1359; and House Joint Resolutions Nos. 213, 215, 220, 221, 222, 230, 231, 233, 234 and 239 with his approval.

JULIA GIBBONS,
Counsel to the Governor.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1379, 1382, 1384, 1386, 1387 and 1389; and House Joint Resolutions Nos. 192 and 240; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

510—To make certain provisions, T.B.I.

The Senate lifted the tabling motion, reconsidered adoption of Senate Amendment No. 1, withdrew S.A. No. 1, then repassed the bill on third and final consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.

256—Relative to commending Janet Breazeale;

259—Relative to declaring "Retired Senior Volunteer Program Day";

261—Relative to expressing outrage, recent violence and terrorism; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

1382—To amend Section 45-3-601, Code;

1383—To amend Charter, Oneida;

1384—To regulate General Sessions Court, Wilson County;

1386—To create budget committee, Cocke County;

1387—To enact Purchasing Law, Cocke County; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

258—Relative to building sports arena, Knoxville; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

71—To amend Sections 69-101, 69-102 and 69-103, Code.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.

171—Relative to study, Medicaid system:

240—Relative to congratulating Vanderbilt University certain program; both concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of Senate Bill No. 395, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

On motion of Mr. Bivens, Senate Bill No. 395 was returned to the Senate as requested.

On motion of Mr. Bivens, Senate Bill No. 395 was recalled from the Senate.

Mr. McKinney moved that the House stand in recess until 6:00 p.m., which motion prevailed by the following vote:

Ayes	80
Noes	12

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bivens, Brewer, Byrd, Carter, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Shockley, Small, Spence, Stallings, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—80.

Representatives voting no were: Bewley, Bragg, Burnett, Clark (Sumner), Henry (Roane), Hudson, Kernell, Montgomery, Robertson, Severance, Smith and Ussery—12.

The recess having expired, the House was called to order by Mr. Speaker McWherter.

On motion, the roll call was dispensed with.

Mr. Bragg moved that the rules be suspended for the purpose of introducing House Resolution No. 80 out of order, which motion prevailed.

House Resolution No. 80—Relative to honoring Mrs. Velma Green—By Lowe and Bragg.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Bragg, the resolution was adopted.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.

99—Relative to continuing study, vocational education; amended, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE JOINT RESOLUTION ON SENATE AMENDMENT

House Joint Resolution No. 99—Relative to continuing study, vocational education.

SENATE AMENDMENT NO. 1

Amend House Joint Resolution No. 99 by adding after the words "Senate" in the third line of the first resolving clause the following words "who shall be members of the Senate Education Committee"

Mr. Starnes moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	89
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—89.

Representative voting no was: Spence—1.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.

158—To amend Title 4, Chapter 29, Part 2, Title 4, Chapter 3 and Title 12.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk

REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL NO. 158

The House and Senate Conference Committees appointed pursuant to motions to resolve differences between the two houses on Senate Bill 158/House Bill 213 have met and recommend that Senate amendments No. 1, No. 2, and No. 3 be adopted, and that House Amendment No. 1 be deleted; and that the bill be further amended by deleting from Section 2 the word and figures "Section 4-29-208" and substituting instead the word and figures "Section 4-29-203".

Respectfully submitted, this the 27th day of May, 1981.

FOR THE SENATE

Sen. Bill Jim Davis

Sen. Carl R. Moore

Sen. Ray Albright

FOR THE HOUSE

Rep. Bob Davis

Rep. David Copeland

Rep. Mike Kernell

Mr. Kernell moved that the Report of the Conference Committee on Senate Bill No. 158 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	93
Noes	1
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner,

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—93.

Representative voting no was: Harrill—1.

Representative present and not voting was: Wix—1.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

170—To amend Title 9, Chapter 8, Part 2.

The Senate refused to recede from its action in adopting Senate Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Smith moved that the House refuse to recede from its action in nonconcurring in Senate Amendment No. 1 to House Bill No. 170, which motion prevailed.

Mr. Smith moved that the Speaker appoint a Conference Committee to meet with a like committee from the Senate to resolve the differences between the House and Senate on House Bill No. 170, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Smith, Murray and Scruggs as the Conference Committee on House Bill No. 170.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.

254—Relative to study, state and federal fiscal years; amended, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE JOINT RESOLUTION ON SENATE AMENDMENTS

House Joint Resolution No. 254—Relative to study, state and federal fiscal years.

SENATE AMENDMENT NO. 1

Amend House Joint Resolution No. 254 by deleting the amendatory language of the first resolving clause and substituting the following:

That the Speakers of the House and Senate shall appoint four senators and four representatives from Finance, Ways and Means Committees, the Governor shall name four persons, the Chief Justice shall name two persons, the county services association and Tennessee Municipal League shall appoint one person each.

The first meeting shall be convened by the Senator senior in years of service.

The two Speakers shall be ex-officio members.

SENATE AMENDMENT NO. 2

Amend House Joint Resolution No. 254 by inserting between “with” and “four” in the fourth line of the first resolving clause the following: “The Treasurer, the Comptroller of the Treasurer.”

Mr. Bragg moved that the House concur in Senate Amendments Nos. 1 and 2, which motion prevailed by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Lowe, McAfee, McNally, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—89.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

267—To appropriate funds, institute of African affairs.

The Speaker appointed a Conference Committee composed of Senators Davis (Shelby), Hooper and White to meet with a like Committee from the House to resolve the differences of the two bodies on House Bill No. 267.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE BILL NO. 267

The House and Senate Conference Committees appointed pursuant to motions to resolve differences between the two houses on Senate Bill 273/House Bill 267 have met, and recommended that Senate Amendment No. 1 be deleted; and that the bill be further amended by adding the following language at the end of Section 5:

Expenditure of such funds shall be subject to audit by the Comptroller of the Treasury.

Respectfully submitted, this the 27th day of May, 1981.

FOR THE SENATE

Senator Ed Davis

Senator Ben Hooper

Senator Jim White

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

FOR THE HOUSE

Representative Teddy Withers

Representative Tommy Burnett

Representative Jim McKinney

Mr. Withers moved that the Report of the Conference Committee on House Bill No. 267 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	82
Noes	6
Present and not voting	1

Representatives voting aye were: Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Johnson, Jones, Kelley, Kent, Kernell, Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—82.

Representatives voting no were: Akard, Chiles, Duer, Harrill, King (Washington) and Spence—6.

Representative present and not voting was: Rhinehart—1.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.

191—To amend Title 6, Chapter 51, Code.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL NO. 191

The House and Senate Conference Committees appointed pursuant to motions to resolve differences between the two houses on Senate Bill No. 191/House Bill No. 564 have met and recommend that Senate amendment 3 be adopted; that House amendment 14 be adopted; that all other amendments be deleted; and that the bill be further amended by adding the following new section immediately before the last section and renumbering the subsequent section accordingly:

SECTION—. Provided, however, the provisions of this act shall only apply to counties having a population of not less than seventy-seven thousand (77,000) nor more than four hundred thousand (400,000) according to the 1980 federal census of population or any subsequent federal census, except that this act shall not apply to

counties having a population of not less than two hundred eighty-seven thousand (287,000) nor more than two hundred eighty-eight thousand (288,000) or a population of not less than eighty-four thousand (84,000) nor more than eighty-six thousand (86,000) all according to the 1980 federal census of population or any subsequent federal census. Provided, further, the provisions of this act shall also apply to any two adjacent counties which contain a part of a standard metropolitan statistical area, within the state of Tennessee, and have at least three (3) cities with a population of not less than twenty-five thousand (25,000) nor more than fifty thousand (50,000) within such counties; to any county in which an airport belonging to a municipality which is located in an adjoining county; and to any county in a standard metropolitan statistical area containing a federal military reservation of twenty-five thousand (25,000) acres or more. Provided further, the provisions of this act shall also apply to any counties having a population of not less than forty-nine thousand two hundred seventy-five (49,275) nor more than forty-nine thousand three hundred seventy-five (49,375) and of not less than fourteen thousand nine hundred forty (14,940) nor more than fifteen thousand one hundred twenty-five (15,125) all according to the 1980 federal census of population or any subsequent federal census. Provided, further, effective January 1, 1982, the provisions of this act shall also apply to any county having a population of not less than twenty-eight thousand five hundred (28,500) nor more than twenty-eight thousand six hundred (28,600) according to the 1980 federal census of population or any subsequent federal census.

The provisions of this act shall not apply to any county with a metropolitan form of government prior to June 1, 1981.

Respectfully submitted,

This the 27th day of May, 1981

FOR THE SENATE

Sen. Victor H. Ashe

Sen. Carl R. Moore

Sen. Riley Darnell

FOR THE HOUSE

Rep. Bill Owen

Rep. David L. Ussery

Rep. Ralph Yelton

Mr. Owen moved that the Report of the Conference Committee on Senate Bill No. 191 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	82
Noes	8
Present and not voting	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bivens, Brewer, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Gaia, Gill, Harrill, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, Lashlee, Love, Lowe, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen,

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wood, Work, Yelton and Mr. Speaker McWherter—82.

Representatives voting no were: Bewley, Bragg, Chiles, Henry (Roane), King (Washington), McNally, Montgomery and Spence—8.

Representatives present and not voting were: Frensley and Wolfe—2.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

601—To prohibit transportation of garbage, certain vehicles.

The Speaker appointed a Conference Committee composed of Senators Koella, Moore and Ashe to confer with a like Committee from the House in resolving the differences of the two bodies on House Bill No. 601.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE BILL NO. 601

The House and Senate Conference Committees appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 1141/House Bill No. 601 have met and recommend that House Amendment No. 1 be adopted, and that the section added by this amendment be numbered as Section 2; that House Amendment No. 2 and Senate Amendments No. 2 and No. 3 be deleted; and that the bill be further amended by adding the following as a new paragraph to the amendatory language of Section 1:

Provided, however, if such motor vehicle is a non-commercial, not-for-hire, pick-up truck, the provisions of this act shall be construed to be complied with if the material on such non-commercial, not-for-hire, pick-up truck is secured in such a way as to reasonably insure that it will not fall or be blown off the vehicle. All other pick-up trucks and other motor vehicles are required to comply with the provisions of the preceding paragraph of this section.

The bill is further amended by renumbering Sections 2 and 3 of the original bill as Sections 3 and 4, respectively.

Respectfully submitted, this the 27th day of May, 1981.

FOR THE SENATE

Sen. Carl Koella

Sen. Carl Moore

Sen. Victor Ashe

FOR THE HOUSE

Rep. Ken Baker

Rep. Robb Robinson

Rep. Ralph Duncan

Mr. Baker moved that the Report of the Conference Committee on House Bill No. 601 be adopted and made the action of the House.

Mr. Wallace moved the previous question, which motion prevailed by the following vote:

Ayes	69
Noes	11
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Covington, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Duer, Frensley, Gaia, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Lashlee, Love, Lowe, McAfee, McNally, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Small, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood and Yelton—69.

Representatives voting no were: Burnett, Crain, Davidson, Dills, Disspayne, Ellis, Gill, Johnson, King (Washington), Phillips and Scruggs—11.

Representative present and not voting was: Kernell—1.

Thereupon, the motion to adopt the Conference Committee Report on House Bill No. 601 and make it the action of the House prevailed by the following vote:

Ayes	67
Noes	25
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bivens, Bragg, Brewer, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davis (Hamilton), DeBerry, DePriest, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, Lashlee, Lowe, McAfee, McKinney, McNally, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Small, Spence, Sterling, Turner, Ussery, Wheeler, Withers, Wix, Wolfe, Wood, Work and Yelton—67.

Representatives voting no were: Bell (Wilson), Bewley, Burnett, Crain, Davidson, Davis (Gibson), Davis (Pickett), Dills, Disspayne, Gill, Hillis, Johnson, King (Washington), Murray, Naifeh, Phillips, Richardson, Scruggs, Smith, Stallings, Starnes, Tanner, Wallace, Webb and Whitson—25.

Representative present and not voting was: Mr. Speaker McWherter—1.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF SENATE BILL NO. 1115

Senate Bill No. 1115—To regulate duties, Industrial Development Authority.

Mr. Bragg moved that the motion to reconsider Senate Bill No. 1115 be lifted from the table.

Mr. Lashlee moved the previous question on the motion, which motion prevailed by the following vote:

Ayes	63
Noes	12
Present and not voting	8

Representatives voting aye were: Akard, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Copeland, Covington, Davidson, Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Duer, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, Love, McNally, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Washington), Scruggs, Shirley, Shockley, Starnes, Sterling, Turner, Ussery, Webb, Wheeler, Whitson, Withers, Wix, Yelton and Mr. Speaker McWherter—63.

Representatives voting no were: Baker, Bell (Knox), Clark (Sumner), King (Washington), Lashlee, Robinson (Hamilton), Severance, Spence, Stallings, Wallace, Wolfe and Work—12.

Representatives present and not voting were: Cobb, Crain, Davis (Gibson), Davis (Pickett), Duncan, Hudson, Tanner and Word—8.

Thereupon, the motion to lift from the table the motion to reconsider Senate Bill No. 1115 failed by the following vote:

Ayes	45
Noes	26
Present and not voting	21

Representatives voting aye were: Akard, Brewer, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Copeland, Covington, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Duer, Ellis, Gill, Henry (Roane), Hurley, Jared, Jones, Kent, Kernell, Love, Lowe, McKinney, McNally, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Spence, Starnes, Turner, Ussery, Wheeler, Withers and Mr. Speaker McWherter—45.

Representatives voting no were: Baker, Bewley, Chiles, Crain, Davis (Gibson), Duncan, Ford, Gaia, Harrill, Huskey, Kelley, King (Washington), Lashlee, Moore, Percy, Pickering, Scruggs, Severance, Stallings, Sterling, Wallace, Webb, Wix, Wolfe, Wood and Work—26.

Representatives present and not voting were: Bell (Knox), Bivens, Carter, Cobb, Dills, Frensley, Henry (Blount), Hillis, Hudson, Johnson, McAfee, Miller, Naifeh, Owen, Phillips, Shockley, Small, Smith, Tanner, Whitson and Yelton—21.

The Clerk was directed to return Senate Bill No. 1115 to the Senate.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

267—To appropriate funds, institute of African Affairs.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

601—To amend Section 39-4544, Code.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

725—To establish hunting and fishing license fees.

The Senate refused to recede from its action in adopting Senate Amendments Nos. 1, 2, 8, 9 and 10.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Hillis moved that the House refuse to recede from its action in nonconcurring in Senate Amendments Nos. 1, 2, 8, 9 and 10 to House Bill No. 725, which motion prevailed.

Mr. Hillis moved that the Speaker appoint a Conference Committee to meet with a like committee from the Senate to resolve the differences between the House and Senate on House Bill No. 725, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Huskey, Hillis and Stallings as the Conference Committee on House Bill No. 725.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

1024—To amend Section 7-53-101, Code; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1024—To amend Section 7-53-101, Code.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1024 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section.— The provisions of this act shall not apply in any county having a population of not less than 120,000 nor more than 130,000 according to the 1970 federal census of population or any subsequent federal census of population.

Mr. Clark (Davidson) moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	90
Noes	2

Representatives voting aye were: Akard, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Diaspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Sterling, Tanner, Turner, Ussery, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—90.

Representatives voting no were: Baker and Wallace—2.

A motion to reconsider was tabled.

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE BILL NO. 1035

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 1214/House Bill No. 1035 have met and recommend that Senate Amendment No. 1 be deleted; and that the bill be further amended by deleting the schedule in the amendatory language of Section 1 in its entirety and substituting instead the following schedule:

CLASS	MAXIMUM WEIGHT	AVERAGE MILEAGE PER GALLON	FEE
Passenger Car		20	56.00
J Class 1	8,000	15	67.50
J Class 2	14,000	10	67.50
J Class 3	18,000	8.5	79.00
J Class 4	24,000	8	84.00
J Class 5	30,000	7.5	90.00
J Class 6	36,000	7	95.50
J Class 7	42,000	6.5	104.00
J Class 8	55,980	5	135.00
J Class 9	62,000	4.75	140.50
J Class 10	73,280	4.5	149.00

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

Respectfully submitted this the 27th day of May, 1981.

FOR THE SENATE

Sen. Tommy Burks

Sen. Riley C. Darnell

Sen. Johnny V. Crow

FOR THE HOUSE

Rep. Ray Davis

Rep. C.E. DePriest

Rep. P.L. Robinson

Mr. Davis (Gibson) moved that the Report of the Conference Committee on House Bill No. 1035 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	92
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—92.

Representative voting no was: King (Washington)—1.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

1086—To amend Section 55-6-104, Code.

The Senate refused to recede from its action in adopting S.A. No. 6 and 9.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Robinson (Washington) moved that the House refuse to recede from its action in nonconcurring in Senate Amendments Nos. 6 and 9 to House Bill No. 1086, which motion prevailed.

Mr. Robinson (Washington) moved that the Speaker appoint a Conference Committee to meet with a like committee from the Senate to resolve the differences between the House and Senate on House Bill No. 1086, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Miller, Johnson and Robinson (Washington) as the Conference Committee on House Bill No. 1086.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

1098—To authorize certain cities to contract for services.

The Speaker appointed a Conference Committee composed of Senators Hamilton, Thomas and Davis (Tipton) to confer with a like Committee from the house to resolve the differences of the two bodies on House Bill No. 1098.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF THE CONFERENCE COMMITTEE HOUSE BILL NO. 1098

The House and Senate Conference Committees appointed pursuant to motions to resolve differences between the two houses on SB 1239/HB 1098 have met and recommend that Senate amendment No. 1 be deleted; and that the bill be further amended by adding the following as a new section 2 and by renumbering subsequent sections accordingly:

Section 2. Tennessee Code Annotated, Section 6-35-206, is amended by adding the following as subsection (c):

(c) The provisions of this act shall apply only to cities with populations greater than 11,825 but less than 12,025, according to the 1970 federal census or any subsequent federal census, and which are located in counties with populations greater than 29,900 but less than 30,000 according to the 1970 federal census of population or any subsequent federal census. Further, the provisions of this act shall be applicable only to garbage collection and fire protection services.

Respectfully submitted,

This the 27th day of May, 1981

FOR THE SENATE

Sen. Milton Hamilton

Sen. Bill J. Davis

Sen. Lowell Thomas

FOR THE HOUSE

Rep. John Tanner

Rep. Jimmy Naifeh

Rep. Jimmy Wallace

Mr. Tanner moved that the Report of the Conference Committee on House Bill No. 1098 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	89
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, Lashlee, Love, Lowe, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—89.

Representative voting no was: King (Washington)—1.

A motion to reconsider was tabled.

House Bill No. 1322—To provide for wheel tax, Rutherford County.

On motion, House Bill No. 1322 was made to conform with Senate Bill No. 1323.

On motion, Senate Bill No. 1323, on same subject, was substituted for House Bill No. 1322.

Mr. Bragg moved that Senate Bill No. 1323 be passed on third and final consideration.

Mr. Owen moved the previous question, which motion failed by the following vote:

Ayes	46
Noes	41
Present and not voting	2

Representatives voting aye were: Akard, Bragg, Brewer, Burnett, Byrd, Carter, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Gill, Harrill, Hurley, Jared, Kernell, Love, Lowe, McKinney, Montgomery, Naifeh, Owen, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Shirley, Spence, Starnes, Tanner, Turner, Wallace, Wheeler, Withers, Wix, Wood, Work and Yelton—46.

Representatives voting no were: Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Chiles, Clark (Davidson), Clark (Sumner), Duer, Ford, Frensley, Gaia, Henry (Blount), Henry (Roane), Hillis, Hudson, Huskey, Jones, Johnson, Kelley, Kent, King (Washington), Lashlee, McNally, Moore, Murphy (Davidson), Murray, Percy, Richardson, Robertson, Scruggs, Severance, Shockley, Small, Smith, Stallings, Sterling, Ussery, Webb, Whitson and Wolfe—41.

Representatives present and not voting were: Cobb and Miller—2.

Thereupon, Senate Bill No. 1323, passed its third and final consideration by the following vote:

Ayes	84
Noes	3
Present and not voting	6

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kernell, Lashlee, Love, Lowe, McAfee, McKinney, McNally, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—84.

Representatives voting no were: Bewley, Clark (Sumner) and King (Washington)—3.

Representatives present and not voting were: Kent, Miller, Moore, Shockley, Webb and Wix—6.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.

31—To amend Contractors Licensing Act of 1976.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 31

The Conference Committee on Senate Bill 31 (House Bill 811), to resolve the differences between the two, hereby adopted the following report.

Amend House Amendment number 1 by deleting the first five lines in its entirety, which reads as follows:

“by adding the following new language at the end of the amendtory language of Section 1:

Provided, however, that such financial statements shall only be required for an original application for a license and shall not be required for license renewals.”

And further by removing House Amendment number 5 in its entirety.

Respectfully submitted,

SENATE MEMBERS

Sen. Ben Longley

Sen. Joe L. Crockett

Sen. Edward Davis

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

HOUSE MEMBERS

Rep. Tom Wheeler

Rep. Lincoln Davis

Rep. James C. Hudson, III

Mr. Wheeler moved that the Report of the Conference Committee on Senate Bill No. 31 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	91
Noes	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—91.

Representatives voting no were: King (Washington) and Webb—2.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

170—To amend Title 9, Chapter 8, Code.

The Speaker appointed a Conference Committee Composed of Senators White, Atchley and Darnell to confer with a like Committee from the House to resolve the differences of the two bodies on House Bill No. 170.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF THE CONFERENCE COMMITTEE HOUSE BILL NO. 170

The House and Senate Conference Committees appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 467/House Bill No. 170 have met and recommend that Senate Amendment No. 1 be deleted.

Respectfully submitted this the 27th day of May, 1981.

FOR THE SENATE

Sen. Ben Atchley

Sen. Riley Darnell

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

Sen. Jim White

FOR THE HOUSE

Rep. Loy Smith

Rep. Buddy Scruggs

Rep. Ed Murray

Mr. Smith moved that the Report of the Conference Committee on House Bill No. 170 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	91
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter—91.

Representative voting no was: King (Washington)—1.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.

260—Relative to study, impact of federal budget cutbacks; amended and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE JOINT RESOLUTION ON SENATE AMENDMENTS

House Joint Resolution No. 260—Relative to study, impact of federal budget cutbacks.

SENATE AMENDMENT NO. 1

Amend House Joint Resolution No. 260 by changing the period at the end of the resolution to a comma and inserting thereafter the following:

“with due regard to funding the State adequately, from federal as well as State funds, to perform those functions and render those services which the State is obligated by law to perform or render.”

SENATE AMENDMENT NO. 2

Amend House Joint Resolution No. 260 by adding a new resolving clause to read as follows:

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

Be it further resolved that the Commission shall report back to the General Assembly by January 7, 1982, and a copy of this resolution shall be forwarded by the House Engrossing Clerk to Representative John Bragg, Chairman of the Advisory Commission and to each member of the Commission.

Mr. Murphy (Davidson) moved that the House concur in Senate Amendments Nos. 1 and 2, which motion prevailed by the following vote:

Ayes	91
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter—91.

Representative voting no was: King (Washington)—1.

A motion to reconsider was tabled.

Mr. David Welles
Chief Clerk
State Capitol
Nashville, TN 37219

Dear Mr. Welles,

As requested by the House of Representatives we are hereby returning House Bill 670.

Sincerely,

Julia S. Gibbons
Legal Counsel to the Governor

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of House Bill No. 670, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

On motion of Mr. Murphy (Shelby), House Bill No. 670 was returned to the Senate.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 672—To amend Section 33-604, Code.

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

The Senate refused to recede from its action in adopting Senate Amendments Nos. 2 and 3.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Murphy (Shelby) moved that the House refuse to recede from its action in nonconcurring in Senate Amendments Nos. 2 and 3 to House Bill No. 672, which motion prevailed.

Mr. Murphy (Shelby) moved that the Speaker appoint a Conference Committee to meet with a like committee from the Senate to resolve the differences between the House and Senate on House bill No. 672, which motion prevailed.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 997—"General Appropriations Bill."

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**CONFERENCE COMMITTEE REPORT
ON SENATE BILL NO. 997/HOUSE BILL NO. 778**

The Senate and House Conference Committee appointed pursuant to motions to resolve the differences between the two Houses on Senate Bill No. 997 (House Bill No. 778) have met and recommend that the following House amendment be adopted: 1; and recommend that the following House amendment be deleted: 2.

The Committee further recommends the following amendments to Senate Bill No. 997 (House Bill No. 778) be adopted:

AMEND by adding the following new item at the end of Section 11:

Item ____ . From the appropriation to the Department of Tourist Development an amount not to exceed one hundred thirty-five thousand dollars (\$135,000.00) is for the sole purpose of permitting the State of Tennessee to match local funds to nonprofit tourist promotional organizations in the nine planning regions in Tennessee as authorized by Tennessee Code Annotated, Section 11-25-105; each such organization shall meet the criteria for funding as established by the Commissioner of Tourist Development. Said fund, one dollar of state funds per dollar of local funds to a maximum of fifteen thousand dollars (\$15,000) to each regional organization shall be contributed only upon recommendation of the Commissioner of Tourist Development and the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item to the appropriate section to read as follows:

Item ____ . In addition to any funds appropriated by the provisions of this act, there is hereby appropriated an amount of \$75,000.00 to the Dyer County Levee and Drainage District for the purpose of acquiring addi-

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

tional rights-of-way and maintaining rights-of-way of the district. Necessary attorneys' fees for the cost of acquiring rights-of-way may be paid out of this amount.

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item ____ . From the highway fund revenues appropriated to the Department of Transportation by the provisions of this act, there is hereby allocated the sum of six million dollars (\$6,000,000) for the improvement of State Route 55 beginning at Morrison and continuing for approximately ten miles to Interstate 24. The appropriation made in this item is subject to the approval of the Commissioner of Transportation.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated to Middle Tennessee State University the sum of twenty thousand dollars (\$20,000) for the sole purpose of operating the Tennessee Livestock Pavilion.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seven thousand five hundred dollars (\$7,500.00) to the Elk River Development Agency. The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seven thousand five hundred dollars (\$7,500.00) to the Upper Duck River Development Agency. The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to any other appropriations made under this act to the Department of Public Health for the epilepsy treatment program, there is hereby appropriated an amount not to exceed \$178,500 for the 1981—82 fiscal year. The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Department of Revenue a sum sufficient for the purpose of purchasing registration plates to furnish to the various counties of the state pursuant to Tennessee Code Annotated, Section 55-4-103; provided, however, that notwithstanding any provision of law to the contrary, such registration plates shall not include the graphic design of the state seal. The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

Item ____ . In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated to Austin Peay State University the sum of one hundred fifty thousand dollars (\$150,000) for the sole purpose of establishing and operating an Educational Center in Dickson, Tennessee during the fiscal year 1981—82, said appropriation to be subject to the approval of the State Board of Regents. The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . There is hereby appropriated \$250,000.00 to the Center for Product Transitioning in Tennessee. Subject to approval by the Commissioner of Economic and Community Development, the Center shall utilize the funds on a one-time basis to plan and implement a means for marshaling and utilizing all the state's technological expertise and resources necessary to: 1) attract high-technology jobs and capital investment to Tennessee, and 2) commercialize processes and ideas now being invented, developed or inventoried by business and industry in Tennessee and the state's other high-technology research organizations and universities. The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to all other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred and twenty-five thousand dollars (\$125,000) to the General Assembly for the purpose of continuing the operation of the on-line bill status information system implemented in accordance with the recommendations made by the Advisory Committee on Computerization and approved by the Joint Legislative Services Committee. The allocation and expenditure of these funds is subject to the approval of the Joint Legislative Services Committee.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to all other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred and twenty-five thousand dollars (\$125,000) to the General Assembly for the purpose of implementing a statutory retrieval and a bill preparation system in accordance with the recommendations of the February 1979 Report of the Advisory Committee on Computerization. The allocation and expenditure of these funds is subject to the approval of the Joint Legislative Services Committee. Each state department or agency, except for the Office of Legal Services and the Office of Legislative Services, having access to the statutory retrieval system shall pay an annual access fee and surcharge for the use of such system in addition to the cost of the computer time. Such annual access fee for state departments and agencies shall not exceed five hundred dollars (\$500). Public and private institutions of higher education may have access to such retrieval system and shall pay an annual fee of not more than one thousand dollars (\$1,000) and a surcharge fee in addition to the cost of computer time. Private citizens may have access to such retrieval system upon payment of an annual access fee and appropriate surcharge fees if the Comptroller of the Treasury and the Commissioner of Finance and Administration certify that a similar service is not available from a private business concern. Such fees shall be adopted by the Advisory Committee on Computerization with the approval of the Finance,

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

Ways and Means Committees, meeting jointly.

All fees and surcharge fees shall be appropriated and allocated to defray the cost of providing the statutory retrieval and bill preparation systems.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Tennessee Corrections Institute the sum of sixty-nine thousand dollars (\$69,000) for the purpose of funding one (1) correction facility inspector to conduct inspections of state and local penal institutions and to fund the operation of the research and evaluation unit. The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to all other appropriations to the Higher Education Commission, there is hereby appropriated to the THEC the sum of \$30,000 for the purpose of fully implementing the THEC statutory duties including those required by Public Chapter 901 of the Public Acts of 1980. This is contingent upon the rescission of FY 1981 federal 1202, Title I, and EIC or FY 1982 Appropriations loss for the Education Outreach program funds now granted to the THEC.

AND FURTHER AMEND by deleting the last sentence of Section 25 and by substituting instead the following:

The provisions of this section shall not be construed to countermand any general act passed by the Ninety-second General Assembly.

AND FURTHER AMEND by deleting in their entirety Items 3 and 7 in Title III-2 of Section 1 and substituting in lieu thereof the following and changing the subsequent totals accordingly:

3. Commissions

3.1	Tennessee Children's Services Commission ...\$	248,500.00
3.2	Commission on Aging	1,446,000.00
3.3	Alcoholic Beverage Commission	506,700.00
3.4	Commission for Human Development	360,600.00
3.5	Law Enforcement Training Commission	590,300.00
3.6	Health Facilities Commission	221,600.00
3.7	Tennessee Corrections Institute	442,200.00
3.8	Tennessee Arts Commission	
a.	Tennessee Arts Commission	559,500.00
b.	Tennessee State Museum	638,800.00
c.	Joe L. Evins Crafts Center	198,300.00
	Total Tennessee Arts Commission\$	1,396,600.00
3.9	Board of Paroles	1,486,500.00
3.10	Obion-Forked Deer Authority	268,800.00

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

3.11 Tennessee Energy Authority	622,400.00
Total Commissions	\$ 7,590,200.00
7. Department of Veterans Affairs	\$ 842,200.00

AND FURTHER AMEND by deleting in its entirety Title III-3 in Section 1, and substituting in lieu thereof the following:

3. Department of Agriculture

1. Division of Administration	\$ 709,700.00
2. Division of Animal Industries	1,490,600.00
3. Division of Plant Industries	857,800.00
4. Division of Consumer Affairs	193,500.00
5. Division of Foods and Dairies	1,372,600.00
6. Division of Marketing	933,200.00
7. Soil Conservation	201,400.00
8. Agricultural Fairs	154,100.00
9. Junior Agricultural Clubs	55,000.00
10. Ellington Agricultural Center	40,000.00
Total Title III-3	\$ 6,007,900.00

AND FURTHER AMEND by deleting in its entirety Title III-5 in Section 1, and substituting in lieu thereof the following:

5. Department of Conservation

1. Division of Administration	\$ 2,066,400.00
2. Historical Commission	440,900.00
3. State Abandoned Land Program	821,500.00
4. Surface Mining Program	911,100.00
5. Division of Forestry	6,785,600.00
6. Division of Geology	663,800.00
7. Division of Parks	8,500,800.00
8. Division of Water Resources	432,300.00
9. Facilities Management	1,090,400.00
10. Forestry Equipment	160,000.00
Total Title III-5	\$ 21,872,800.00

AND FURTHER AMEND by deleting in its entirety Item 1 (Administration and Field Services) in Title III-9 in Section 1, and substituting in lieu thereof the following and changing the subsequent totals accordingly:

9. Department of Education

1. Administration and Field Services

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

1.1	Division of Administration	\$	4,345,100.00
1.2	Education Grants-in-Aid		62,100.00
1.3	Tennessee Tomorrow Program		45,100.00
1.4	Improvement of Basic Skills		988,000.00
1.5	Improvement of School Personnel		250,000.00
1.6	Comm. on Post-Secondary Education		52,600.00
1.7	State Board of Education		87,400.00

Total Administration and Field
Services\$ 5,830,300.00

AND FURTHER AMEND by deleting Items 3 and 6 in Title III-15 (Department of Military) in Section 1 and substituting in lieu thereof the following:

3.	Division of Tennessee Air National Guard	\$	397,300.00
6.	Armories Utilities	\$	653,400.00

AND FURTHER AMEND by deleting in its entirety Section 35 which reads:

SECTION 35. BE IT FURTHER ENACTED, That upon passage, there is hereby appropriated the following amounts which shall be in addition to the appropriations provided under Chapter 921 of the Public Acts of 1980:

Department of Education

1.	Retirement Accumulation Fund	\$	31,700.00
2.	Social Security Contributions		758,300.00

Higher Education

3.	U. T. Retirement Accumulation Fund	\$	308,700.00
4.	U. T. Social Security Contributions		40,400.00
5.	S. B. O. R. Retirement Accumulation Fund		85,400.00
6.	S. B. O. R. Social Security Contributions		45,100.00
7.	U. T. Center for Health Sciences		610,200.00
8.	U. T. College of Medicine		289,800.00

Department of Human Services

9.	Division of Administration	\$	104,700.00
10.	Field Operations		89,400.00
11.	Special County Rentals		143,600.00
12.	Family Assistance Division		700,500.00
13.	Aid to Dependent Children		2,803,300.00
14.	Board and Care Contributions		727,000.00

Department of Public Health

15.	Medicaid Services	\$	11,868,500.00
16.	Intermediate Care Nursing Home Program ...		931,500.00

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

Total\$ 19,538,100.00

AND substituting in lieu thereof the following:

SECTION 35. BE IT FURTHER ENACTED, That upon passage, there is hereby appropriated the following amounts which shall be in addition to the appropriations provided under Chapter 921 of the Public Acts of 1980:

Department of Education

1. Retirement Accumulation Fund.....\$	31,700.00
2. Social Security Contributions.....	758,300.00

Higher Education

3. U. T. Retirement Accumulation Fund\$	308,700.00
4. U. T. Social Security Contributions	40,400.00
5. S. B. O. R. Retirement Accumulation Fund....	85,400.00
6. S. B. O. R. Social Security Contributions.....	45,100.00
7. U. T. Center for Health Sciences	610,200.00
8. U. T. College of Medicine.....	289,800.00

Total\$ 2,169,600.00

AND FURTHER AMEND by adding an addition item to the appropriate section to read as follows:

Item ____ . There is hereby appropriated the sum of ninety thousand dollars (\$90,000.00) for the development and expansion of the general dentistry resident training program at Meharry Medical College.

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item ____ . From the funds available to the State Building Commission, there is allocated the sum of one hundred thousand dollars (\$100,000) for the purpose of preplanning building renovations and additions to the biology building at Tennessee State University. The appropriation made in this item is subject to the approval of the State Building Commission.

AND FURTHER AMEND by adding the following new item to the appropriate section to read as follows:

Item ____ . In addition to any other appropriation made in this act, there is hereby appropriated fifteen thousand dollars (\$15,000) to enable the victim/witness services program in the tenth judicial circuit to be funded on a fifty percent (50%) state and fifty percent (50%) local basis.

AND FURTHER AMEND by adding an additional item to the appropriate section to read as follows:

Item ____ . From the funds available to the State Building Commission there is allocated a sum sufficient to preplan the expansion of the University of Tennessee Library in Knoxville. The preplanning for the University of Tennessee Library shall be subject to the availability of

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

funds and the discretion of the State Building Commission.

AND FURTHER AMEND by adding a new item in Section 10 to read as follows:

Item ____ . To the extent that collections in the AFDC IV-D program from AFDC supporting spouses, after deducting incentive payments, exceed \$850,000 for the first half of the 1981—82 fiscal year, the excess shall not revert to the general fund but AFDC grant levels and/or payments shall be increased by the amount of such excess effective March 1, 1982. In addition, to the extent that said collections for the first three quarters of fiscal year 1981—82 exceed \$1,275,000 plus any quarterly allotment of annualized collection increases as of December 31, 1981, the excess shall not revert to the general fund but AFDC grant levels and/or payments shall again be increased by the amount of such additional excess effective June 1, 1982.

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item ____ . From the appropriations to the Tennessee Student Assistance Corporation, there is hereby allocated a sum sufficient to grant scholarships under the Law Enforcement Officers Dependent Children Scholarship Act, Tennessee Code Annotated, Title 49, Chapter 50, Part 2.

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item ____ . There is earmarked a sum sufficient from the funds appropriated to the Department of Transportation to erect and maintain appropriate directional signs on the eastbound and westbound lanes of Interstate 40 at the appropriate exits to indicate the location of the Country Music Hall of Fame and Museum, and to direct that installation of appropriate signs be completed before September 15, 1981.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated \$29,900 to the Tennessee Council of Juvenile Judges created in Section 37-278, Tennessee Code Annotated, for the sole purpose of providing one secretarial position and one professional position to serve as staff to such council.

AND FURTHER AMEND by adding to Section 10 the following new items:

Item ____ . Notwithstanding any provision of the law to the contrary, the aggregate amount of the local contribution required of local educational agencies to participate in the Tennessee Foundation Program shall not exceed \$52,067,372 for the 1981—82 school year.

Item ____ . Notwithstanding the provisions of Tennessee Code Annotated, Section 49-27-107, to the contrary, the state comprehensive vocational education program shall not be required to be fully implemented until September, 1982.

Item ____ . Notwithstanding any provision of the law to the contrary, the State Board of Education shall have authority to carry forward into fiscal year 1982—83 any surplus funds appropriated for the state area vocational-technical schools during fiscal year 1981—82.

Item ____ . Notwithstanding any provision of the law to the contrary, and subject to approval by the State Board for Vocational Education, any state area vocational-technical school shall be authorized to contract with a state technical institute for purposes of payroll, accounting, and other fiscal matters and in matters involving personnel.

Item ____ . Insofar as there is a reduction in the state education funds for vocational purposes for fiscal year 1981—82, the State Commissioner of Education shall be authorized to establish guidelines for the allocation of such funds to local education agencies.

AND FURTHER AMEND by adding a new paragraph at the end of Section 22 to read:

Further it is the legislative intent to adjust the appropriation of federal funds made in Section 4 of this act to conform with the federal budget for fiscal year 1982 as enacted by the Congress. The Commissioner of Finance and Administration shall submit to the Finance, Ways and Means Committee chairmen for their acknowledgement, a plan for implementing the federal block grants proposed by the President. To the extent that federal block grant funds available to the state during the federal fiscal year are different than the amounts proposed by the President, the state plan may be adjusted proportionally. However, the Commissioner of Finance and Administration is authorized to submit alternative adjustments to the state's federal aid budget to the Finance, Ways and Means Committee chairmen for their acknowledgement.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Tennessee Advisory Commission on Intergovernmental Relations the sum of one hundred forty thousand dollars (\$140,000) for the purpose of providing for the operation and staffing of such commission.

AND FURTHER AMEND by adding the following new item to the appropriate section to read as follows:

Item ____ . Contingent upon funds being available, there is appropriated the sum of one hundred thousand dollars (\$100,000) for maintenance and improvement of T. O. Fuller State Park. The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to any other funds appropriated by the provisions of this act, there is appropriated fifty thousand dollars (\$50,000) to the Department of Economic and Community Development for the sole purpose of administering the Tennessee River Four-County Port Authority Act (Chapter 900 of 1980). The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to any other appropriation herein, there is hereby appropriated \$25,000 to the University of Tennessee administration for the sole purpose of providing a grant in that amount to the Heavy

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

Ion Institute of Oak Ridge, Tennessee. The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the a new section to be appropriately numbered and to read as follows:

SECTION ____. Other provisions of the law and this act to the contrary notwithstanding, the heads of the respective Departments for which appropriations are made in Section 1, Titles I, II, III-1-1, 3, 4, and 5, are authorized to revise their respective budgets and personnel authorizations within the appropriations made in Sections 1 and 4 of this act and to submit those revised summaries to the Commissioner of Finance and Administration, who shall incorporate them into the revised funding recommendations and personnel summaries and allotments and spending authorizations required by Section 22 of this act.

AND FURTHER AMEND by adding to Section 13 after the words "District Attorney General" in the first sentence, the following words:

the Secretary of State, Comptroller of the Treasury, and State Treasurer,

AND FURTHER AMEND by adding to Section 14, Item 3, after the words "requisitions for purchases" in the first sentence, the following:

except for requisitions for purchases authorized by the Legislative Branch, including the Secretary of State, Comptroller of the Treasury and State Treasurer, and the Judiciary, including the Attorney General and Reporter,

AND FURTHER AMEND by deleting from Section 1, III-1, the following words and amounts:

1. Attorney General and Reporter

1.1	Attorney General and Reporter	\$ 2,200,400.00
1.2	Publication of Tennessee Reports	55,800.00
1.3	Special Litigation	126,800.00
1.4	Defense Counsel Commission	179,000.00
1.5	Attorneys' Fees—Federal Civil Rights Cases	418,000.00

Total Attorney General and Reporter\$ 2,980,000.00

3. Department of State

3.1	Secretary of State	\$ 1,157,600.00
3.2	State Election Commission	39,100.00
3.3	Public Documents	435,500.00

Total Department of State\$ 1,632,200.00

4. Office of Comptroller of the Treasury

4.1	Division of Administration	\$ 245,100.00
4.2	Office of Management Services	1,062,800.00
4.3	Division of State Audit	1,799,300.00
4.4	Division of County Audit	1,630,000.00
4.5	Division of Bond and Local Finance	155,200.00
4.6	Office of Local Government	271,500.00
4.7	Division of Municipal Audit	239,200.00
4.8	Division of Property Assessments	2,999,100.00
4.9	Tax Rebate Program	7,600,000.00
4.10	State Board of Equalization	262,400.00

Total Office of the Comptroller
of the Treasury\$ 16,264,600.00

5. Department of the Treasury\$ 2,584,200.00

AND substituting in lieu thereof the following new words and amounts and changing the subtotals and totals appropriately:

1. Attorney General and Reporter

1.1	Attorney General and Reporter	\$ 2,594,800.00
1.2	Publication of Tennessee Reports	55,800.00
1.3	Special Litigation	126,800.00
1.4	Defense Counsel Commission	179,000.00
1.5	Attorneys' Fees—Federal Civil Rights Cases	418,000.00

Total Attorney General and Reporter\$ 3,374,400.00

3. Department of State

3.1	Secretary of State	\$ 1,239,900.00
3.2	State Election Commission	39,100.00
3.3	Public Documents	435,500.00

Total Department of State\$ 1,714,500.00

4. Office of Comptroller of the Treasury

4.1	Division of Administration	\$ 266,000.00
4.2	Office of Management Services	1,091,600.00
4.3	Division of State Audit	2,003,800.00
4.4	Division of County Audit	1,727,300.00
4.5	Division of Bond and Local Finance	202,900.00
4.6	Office of Local Government	282,700.00
4.7	Division of Municipal Audit	255,400.00
4.8	Division of Property Assessments	3,134,900.00
4.9	Tax Rebate Program	7,600,000.00

4.10 State Board of Equalization 270,500.00

Total Office of the Comptroller
of the Treasury\$ 16,835,100.00

5. Department of the Treasury\$ 2,682,500.00

AND FURTHER AMEND by adding the following new section immediately following Section 4:

SECTION _____. All funds appropriated in Section 1, Title III-1, Items 3, 4 and 5, shall be administered in a ministerial capacity by the Department of Finance and Administration in accordance with budgets and any revisions thereto of the respective entities for which such appropriations are made. Such budgets and any revisions thereto shall be subject to the concurrence of the Speaker of the Senate and Speaker of the House of Representatives.

AND FURTHER AMEND by adding the following new section to be appropriately numbered and to read as follows:

SECTION _____. The appropriation made in Section 1, Title III-1, Item 1, shall be subject to the approval of a majority of a committee composed of the Speaker of the Senate or his designee, the Speaker of the House of Representatives or his designee, and the Commissioner of Finance and Administration.

AND FURTHER AMEND by deleting from Title III of Section 1 the following words and amounts:

2. District Attorneys General

2.1 District Attorneys General\$ 8,373,100.00

In case the amount herein appropriated should be insufficient to pay in full the salaries and expenses of District Attorneys General and their assistants in accordance with the requirements of current statutes, there is hereby appropriated, subject to the approval of the Commissioner of Finance and Administration, such additional amounts as may be necessary to provide therefor. In addition, there shall be paid the expenses of the District Attorney General's Office in Shelby County, Davidson County, Hamilton County, and Knox County, as now provided by general statute, such combined expense not to exceed \$6,450.00 in any fiscal year.

2.2 District Attorneys General Conference 18,400.00

2.3 Executive Secretary to District
Attorneys General Conference 210,300.00

2.4 IV-D Child Support Program 345,200.00

Total District Attorneys General\$ 8,947,000.00

AND substituting in lieu thereof the following:

2. District Attorneys General

2.1	District Attorneys General	\$ 9,023,100.00
	In case the amount herein appropriated should be insufficient to pay in full the salaries and expenses of District Attorneys General and their assistants in accordance with the requirements of current statutes, there is hereby appropriated such additional amounts as may be necessary to provide therefor. In addition, there shall be paid the expenses of the District Attorney General's Office in Shelby County, Davidson County, Hamilton County, and Knox County, as now provided by general statute, such combined expense not to exceed \$6,450.00 in any fiscal year.	
2.2	District Attorneys General Conference	18,400.00
2.3	Executive Secretary to District Attorneys General Conference	210,300.00
2.4	IV-D Child Support Program	345,200.00

Total District Attorneys General\$ 9,597,000.00

AND FURTHER AMEND by adding the following new section to be appropriately numbered and to read as follows:

SECTION ____ . The appropriation made in Section 1, Title III-1, Item 2, shall be subject to the approval of a majority of a committee composed of the Speaker of the Senate or his designee, the Speaker of the House of Representatives or his designee, and the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item to the appropriate section to be appropriately numbered and to read as follows:

Item ____ . In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated the sum of \$150,000.00 for the purpose of continuing the staffing of the offices of the District Attorneys General at the current level.

AND FURTHER AMEND by deleting Section 1, Title II, which reads as follows:

II. Judicial

1.	Appellate and Trial Courts	\$ 11,089,600.00
2.	Supreme Court Buildings	371,000.00
3.	Indigent Defendants Counsel	2,016,000.00
4.	Verbatim Transcripts	972,900.00
5.	State Law Libraries	182,600.00
6.	Judicial Council and Conference	55,000.00
7.	Judicial Committees	16,800.00
8.	Court System Administration	425,800.00
9.	Appellate Court Clerks	310,900.00
10.	State Board of Law Examiners	129,500.00

Total Title II\$ 15,570,100.00

AND by substituting instead the following:

II. Judicial

1.	Appellate and Trial Courts	\$ 11,237,600.00
2.	Supreme Court Buildings	371,000.00
3.	Indigent Defendants Counsel	2,016,000.00
4.	Verbatim Transcripts	1,059,600.00
5.	State Law Libraries	204,600.00
6.	Judicial Council and Conference	55,000.00
7.	Judicial Committees	16,800.00
8.	Court System Administration	486,700.00
9.	Appellate Court Clerks	310,900.00
10.	State Board of Law Examiners	129,500.00

Total Title II\$ 15,887,700.00

AND by adjusting subtotals and totals accordingly.

AND FURTHER AMEND by deleting in item 6 of Section 11 the words "indigent defendant's counsel" and by substituting instead the words "judicial committees".

AND FURTHER AMEND by deleting in its entirety Title III-7 in Section 1, and substituting in lieu thereof the following:

7. Department of Correction

1.	Division of Administration	\$ 1,972,500.00
2.	Division of Adult Probation	3,387,400.00
3.	Division of Juvenile Probation	3,308,600.00
4.	State Prosecutions	11,500,000.00
5.	Rehabilitative Services	2,211,200.00
6.	Tennessee State Prison	18,667,000.00
7.	Brushy Mountain Prison	5,773,100.00
8.	Fort Pillow State Farm	6,448,300.00
9.	Women's Prison	2,834,200.00
10.	Turney Center for Youthful Offenders	5,582,200.00
11.	DeBerry Correctional Institute	3,561,000.00
12.	Shelby County Regional Facility	3,697,200.00
13.	Nashville Regional Facility	5,671,400.00
14.	Bledsoe County Regional Facility	4,112,800.00
15.	Morgan County Regional Facility	4,112,500.00
16.	Lake County Regional Facility	4,111,000.00
17.	Spencer Youth Center	4,314,400.00
18.	James M. Taft Youth Center	3,480,300.00
19.	Highland Rim School for Girls	2,015,000.00
21.	Tennessee Youth Center	1,392,800.00
22.	Foster and Group Homes	2,051,200.00
23.	John S. Wilder Development Center	1,994,700.00

Total Title III-7\$ 102,198,800.00

AND FURTHER AMEND by deleting in its entirety Title III-17 in Section 1, and substituting in lieu thereof the following:

17. Department of Human Services

1. Administration

1.1	Division of Administration	\$ 4,220,900.00
1.2	Field Operations	4,161,900.00
1.3	Special County Rentals	1,845,400.00
	Total Administration	\$ 10,228,200.00

2. Family Assistance Services

2.1	Family Assistance Division	\$ 14,938,300.00
2.2	Aid to Dependent Children	27,070,700.00
2.3	Child Support	335,900.00
2.4	Pensions for Confederate Widows	5,400.00
2.5	Work Incentive Program	321,700.00
	Total Public Assistance Services	\$ 42,672,000.00

3. Social Services

3.1	Social Services Division	\$ 4,575,100.00
3.2	Board and Care Contributions	3,232,100.00
3.3	Community Services	327,500.00
	Total Social Services	\$ 8,134,700.00

4. Services for the Blind

4.1	Blind Services	\$ 1,205,100.00
4.2	A. P. Mills Industries for the Blind	409,500.00
4.3	Mason Brandon Industries for the Blind	571,200.00
	Total Services for the Blind	\$ 2,185,800.00
	Total Title III-17	\$ 63,220,700.00

AND FURTHER AMEND by adding a new section to read:

SECTION ____ . BE IT FURTHER ENACTED, That:

Item 1. There is hereby appropriated the sum of one hundred twenty-five thousand dollars (\$125,000) to the State Board of Regents System which shall be in addition to all other appropriations made to the State Board of Regents System and which shall be used for the

sole purpose of obtaining assistance to improve and update the accounting and financial information systems at Tennessee State University. Assistance is to be provided by the State Comptroller's Office and such consultants as are deemed necessary by the State Comptroller and the State Board of Regents. Reimbursement for these costs shall be made from this appropriation.

Item 2. In addition to the appropriations made in Sections 1 and 4 of this act, there is further appropriated four hundred thousand dollars (\$400,000) to Lakeshore Mental Health Institute and two hundred thousand dollars (\$200,000) to Arlington Developmental Center. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item 3. There is hereby appropriated an amount not to exceed nine hundred thousand dollars (\$900,000) to the Department of Human Services for Board and Care Contributions. This appropriation is subject to approval by the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding a new section to read as follows:

SECTION ____ . BE IT FURTHER ENACTED, That:

Item 1. There is hereby appropriated \$2,000,000.00 to the Tennessee Foundation Program for special education purposes. Said appropriation is in addition to the appropriations contained in Sections 1 and 4 of this act.

Item 2. Upon passage there is hereby appropriated to the Tennessee Arts Commission for benefit of the Joe L. Evins Crafts Center the unexpended balance of the federal grant from the Appalachian Regional Commission after providing for all of the costs associated with constructing and equipping the center. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item 3. In addition to the appropriations made in Section 4 of this act, there is hereby appropriated an amount not to exceed one-half of the balance in the revolving funds of the Tennessee State Industries and the Institutional Farms program for benefit of either program. Said appropriation is subject to approval by the Commissioner of Correction and the Commissioner of Finance and Administration.

Item 4. The Commissioner of Finance and Administration is authorized to establish a telecommunications unit and to expend an amount not to exceed \$150,000.00 for this purpose, and further, it is the legislative intent that the cost of said unit be charged to the user agencies.

AND FURTHER AMEND by adding a new section to read as follows:

SECTION ____ . BE IT FURTHER ENACTED, That in addition to the appropriations made in Sections 1 and 4 of this act:

Item 1. There is further appropriated \$91,800.00 to the Division

of Hotel and Restaurant Inspection. This appropriation is subject to passage of Senate Bill No. 1004—House Bill No. 1007.

Item 2. There is further appropriated an amount not to exceed \$500,000.00 to the Tennessee Bureau of Investigation.

Item 3. There is further appropriated an amount not to exceed \$177,900.00 to the Department of Insurance to be allocated in the following manner: a) \$5,000.00 to the Division of Administration, b) \$96,100.00 to the Division of Regulatory Boards, c) \$60,000.00 to the Board of Pharmacy, d) \$9,200.00 to the Motor Vehicle Commission and e) \$7,600.00 to the Commission on Firefighting Standards. The appropriation in Item c) is subject to passage of Senate Bill No. 1117—House Bill No. 1030, and the other items are subject to passage of Senate Bill No. 1146—House Bill No. 1087.

Item 4. There is further appropriated \$30,000.00 to the Department of Economic and Community Development. This appropriation is subject to approval by the Commissioner of Finance and Administration and to passage of Senate Bill No. 1115 and House Bill No. 1315.

AND FURTHER AMEND by adding the following language in Section ____ :

The appropriation contained in Section 1 of Title III-7 shall:

- 1) Continue the operation of the Tennessee Youth Center as a facility for boys.
- 2) Continue the use of the Highland Rim School as a facility for girls.
- 3) Close the Tennessee Reception and Guidance Center for Children by a transfer of the program to Spencer Youth Center.
- 4) Transfer the Nashville Community Service Center (work release) to the CRC.
- 5) Use the present location of the Nashville Community Service Center as an annex to the Tennessee Prison for Women.

AND FURTHER AMEND Section 1, Title III, Item 9-3.1(a), "Vocational and Technical Education", by adding at the end thereof the following:

The Commissioner of Education is hereby directed to restore a portion of the funding reduction from the appropriation of vocational-technical education for the 1980—81 fiscal year so that the appropriation for vocational-technical education for the 1981—82 fiscal year is the same as that for the 1980—81 fiscal year. For this purpose, there is hereby appropriated from nonrecurring funds a sum not to exceed four million dollars (\$4,000,000) to be used to replace reduced funding. In order to reduce the need to utilize these reserve funds, the Commissioner of Education is directed to present to the Education and Finance, Ways and Means Committees, prior to January 1, 1982, specific reductions of programs and/or classes in areas of vocational-technical education which he finds are unnecessary, duplicative, or noneffective and to recommend, if necessary, increases in class sizes or class size waivers in order to reduce the number of class offerings when such offerings result from efforts to meet slight excesses in mandated class size.

AND FURTHER AMEND by adding the following new item to the appropriate section to be appropriately numbered and to read as follows:

Item ____ . There is hereby appropriated \$144,000.00 to the Tennessee Arts Commission for the purpose of operating the Joe L. Evins Crafts Center. This appropriation is subject to approval by the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding a new item, as follows, in Section 9, to be numbered appropriately:

Item ____ . In addition to all other funds appropriated to the Department of Conservation, there is hereby appropriated an additional amount not to exceed fifty thousand dollars (\$50,000) to be paid over to the department and used to conduct a study of the feasibility of developing a lake on Spring Creek in Hardeman County. The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Department of Education the sum of thirty thousand dollars (\$30,000) for the sole purpose of funding an office of community education to provide technical assistance to local school systems and to promote community education.

AND FURTHER AMEND by deleting Section 1, Title III-10, Item 2.2, which reads as follows:

2.2 Agricultural Services

a. U.T. Agricultural Experiment Stations	\$ 4,618,500.00
b. U.T. Agricultural Extension Service	7,825,000.00
c. U.T. College of Veterinary Medicine	4,332,500.00
Subtotal Agricultural Services	16,776,000.00

AND by substituting instead the following:

2.2 Agricultural Services

a. U.T. Agricultural Experiment Stations	\$ 4,800,500.00
b. U.T. Agricultural Extension Service	8,077,200.00
c. U.T. College of Veterinary Medicine	4,488,900.00
Subtotal Agricultural Services	17,366,600.00

AND by adjusting all subtotals and totals accordingly. The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following to Section 3:

Item ____ . There is hereby appropriated, pursuant to Section 910, Title 51, Tennessee Code Annotated, to the Wildlife Resources Agency

\$45,948.00 as the state's share for the administration of the endangered species program administered by the Wildlife Resources Agency.

AND FURTHER AMEND by adding the following new item to the appropriate section to be appropriately numbered and to read as follows:

Item ____ . In addition to any funds appropriated by the provisions of this act, there is appropriated the sum of forty-eight thousand dollars (\$48,000) to the Department of Conservation for the purpose of funding the Chickasaw Basin Authority. The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . There is hereby appropriated the sum of \$1,023,263.00 from the State Board of Equalization loan fund to be used in the property tax reappraisal and equalization programs and such related matters as are provided by law. In addition, there is herein appropriated the balance of any unexpended and unobligated funds from fiscal year 1980—81 appropriation from the loan fund. The administration, control and expenditure of the funds herein appropriated shall be in accordance with the general laws creating the revolving fund account. Such funds as may remain in the account at the end of a fiscal year shall not revert to the general fund but shall remain available for the purposes provided in the general law.

AND FURTHER AMEND by adding an additional item to the appropriate section to read as follows:

Item ____ . From the appropriations made in this act to the Obion-Forked Deer Basin Authority for clearing and snagging operations, there is hereby appropriated \$320,000.00 for the sole purpose of providing a setback spoil and low bank riprap protection for the Gooch Wildlife Area.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient not to exceed three hundred thousand dollars (\$300,000) to the special task force created pursuant to Senate Joint Resolution No. 56 for the purpose of providing staff, office space and equipment, travel expense, and compensation for consultants or experts and printing. The appropriation made in this item shall not take effect unless Senate Joint Resolution No. 56 is adopted by the Ninety-second General Assembly. The appropriation made in this item shall be subject to the approval of the Speaker of the Senate and the Speaker of the House of Representatives.

AND FURTHER AMEND by deleting Section 10, Item 11, in its entirety.

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item ____ . Notwithstanding any provision of law or this act to the contrary, the University of Tennessee at Knoxville may establish a special fund to receive donations and gifts for the establishment of a *par cours* on the campus of such university to promote physical fitness. Any funds or gifts so received shall be appropriated and allocated for such purpose.

AND FURTHER AMEND by adding a new section to read as follows:

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

SECTION ____ . It is the legislative intent that the Public Service Commission shall take steps to make a more efficient operation by curtailing the employment of unnecessary personnel and unauthorized use of telephones. The Public Service Commission shall make a report to the Finance, Ways and Means Committees by October 1, 1981, on steps taken to implement this section.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of sixty thousand dollars (\$60,000) to Middle Tennessee State University for the sole purpose of establishing the Geographic Information System for Tennessee and to purchase or enter into a lease-purchase arrangement for data processing equipment necessary to process landsat data. The Geographic Information System for Tennessee shall be responsible for providing to public and private entities and persons the resource data and information derived from the Federal Landsat Program, or any similar program. In fulfillment of this responsibility, the system may contract with any party to provide information available through it.

AND FURTHER AMEND by adding an additional item to the appropriate section to read as follows:

Item ____ . In addition to any other appropriations made by the provisions of this act, there is appropriated fifty thousand dollars (\$50,000) to the Department of Conservation for the Tennessee-Tombigbee Waterway Development Authority. The appropriation in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by deleting from Item 10 of Section 10 the words and figure "one thousand dollars (\$1,000.00)" and substituting instead the words and figure "one thousand seventy dollars (\$1,070.00)".

AND FURTHER AMEND by adding to the first paragraph as follows:

It is the legislative intent that no local school system shall be required to increase the local salary supplement for any teacher without a degree above the amount paid during the 1980—81 school year. It is further the legislative intent that the mandatory minimum salary schedule contained in the "Rules, Regulations and Minimum Standards" of the State Board of Education not contain any requirements of this item relative to teachers without a degree.

AND FURTHER AMEND by adding an additional item to the appropriate section to read as follows:

Item ____ . There is appropriated the sum of fifty thousand dollars (\$50,000.00) to the Institute for African Affairs at Tennessee State University. The appropriation made in this item is inclusive of any other funds appropriated by this act and shall be the total amount appropriated for such purpose. This appropriation is subject to Senate Bill No. 273/House Bill No. 267 becoming law. The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to the Tennessee State Museum for the sole purpose of funding programs at the Cumberland Museum in Davidson County. The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item ____ . Notwithstanding any provision of law to the contrary, the Department of Transportation shall not release or make available information which reveals the amount of funding available for any project prior to requesting and receiving bids on such project.

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item ____ . From the funds generated from increased tuition fees at Tennessee Technological University, there is appropriated and allocated to Tennessee Technological University the sum of fifty-one thousand dollars (\$51,000) for the sole purpose of assisting the Nursery Research and Public Service Program in the School of Agriculture.

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item ____ . Notwithstanding any provision of law or this act to the contrary, no funds appropriated by the provisions of this act shall be obligated or expended to develop, implement, purchase or lease a computer program for the search or retrieval of opinions of the Attorney General unless such system is compatible with legislative computer systems.

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item ____ . From the funds appropriated to the Department of Conservation by the provisions of this act, there is hereby allocated an amount not to exceed five thousand dollars (\$5,000) for the purpose of developing and constructing a sand bathing beach and bath-house at Fossil Point on the Tennessee River in Nathan Bedford Forrest State Park.

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item ____ . The Department of Conservation is hereby directed to request bids and commence construction of a restaurant at Edgar Evins State Park during fiscal year 1981—82.

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item ____ . From the funds appropriated by the provisions of this act, no funds shall be expended or obligated to plan or construct a divided highway with a median on the Pellissippi Parkway in the Solway community in Knox County. The provisions of this item shall be subject to the approval of the Commissioner of Transportation.

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item ____ . From the funds appropriated in Section 1, Title III-1, Item 1.5, for attorneys' fees—federal civil rights cases, all payments to attorneys for payment of fees shall be made on a pro rata basis from such funds.

AND FURTHER AMEND by deleting Item 7 of Section 9 in its entirety.

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item ____ . Upon passage, from the funds appropriated to Austin Peay State University, there is allocated the sum of \$10,000 for the sole purpose of repairing the Archwood House to the extent necessary to prevent further deterioration and weather damage until such time as the house may be repaired.

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item ____ . From the funds appropriated to the Department of Transportation by the provisions of this act, there is allocated a sufficient amount to pay two judgments and interest and costs thereon against Luke B. Jones (whose real name is Luccious D. Jones), an employee of the Department of Transportation; one judgment being for the sum of seven hundred dollars (\$700.00) that was obtained in the case of Lewis E. Roberts, plaintiff, vs. Luke B. Jones, defendant, under No. 34746, General Sessions Court of Robertson County, Tennessee and the other judgment being for the sum of one thousand dollars (\$1,000.00) that was obtained in the case of Paul Ferguson, plaintiff, vs. Luke B. Jones, defendant, under No. 2810, Circuit Court of Robertson County, Tennessee.

The Commissioner of the Department of Finance and Administration is authorized to issue warrants on the Treasury to pay all sums owing.

The provisions of this item are subject to the approval of the Defense Counsel Commission.

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item ____ . From the appropriations made in Section 1, Title III-5-2, to the Historical Commission, there is hereby earmarked an amount of \$3,000.00 to old Lenoir City Mill for restoration purposes. The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item ____ . From the funds appropriated to the Department of Transportation by the provisions of this act, there is appropriated a sum sufficient for the sole purpose and the department is directed to conduct a study of the feasibility of and best location for a bridge for motor vehicles over the railroad tracks in Milan. The provisions of this item are subject to the approval of the Commissioner of Transportation.

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item ____ . From the funds available to the State Building Commission, there is allocated \$49,000 for preplanning funds for the Poultry Research Institute at the University of Tennessee in Knoxville. The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seven thousand five hundred dollars (\$7,500.00) to the Sequatchie Development Agency. The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seven thousand five hundred dollars (\$7,500.00) to the Beech River Development Authority. The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to any other funds appropriated by the provisions of this act, there is appropriated to the state Civil Defense Agency the sum of twenty thousand dollars (\$20,000) for the operation of the Emergency Operations Center in Winchester. The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Department of Veterans' Affairs the sum of three hundred dollars (\$300) to design, produce and distribute Tennessee Distinguished Service Medals pursuant to House Joint Resolution No. 239.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to any other funds appropriated or allocated by the provisions of this act, the revenue generated from fees for drilling wells pursuant to Tennessee Code Annotated, Section 60-1-103, as amended by House Bill No. 37 (Senate Bill No. 42), is appropriated to the Department of Conservation and is allocated for the sole purpose of employing four (4) oil and gas supervisors and providing for necessary travel expenses of such inspectors and to employ one (1) secretary in the state oil and gas supervisor's office.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . Notwithstanding any provisions of this act to the contrary, there is hereby appropriated the sum of seven thousand one hundred dollars (\$7,100) for the sole purpose of paying Tennessee's annual dues to the National Conference of Commissioners for Uniform State Laws for fiscal year 1975—1976, which dues have not previously been paid by the State of Tennessee.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to all other appropriations to the Department of Conservation, there is hereby appropriated an amount not to exceed fifty thousand dollars (\$50,000) for the purpose of conducting dragging, dredging, and snagging operations of those parts of the Hatchie River for which

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

404 permits have been obtained to permit snagging.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to all other funds appropriated by the provisions of this act, there is appropriated to the Department of Transportation a sum sufficient for the sole purpose of resurfacing Highway 19 from the Haywood County line to the city limits of the Town of Ripley. The appropriation made in this item is subject to the approval of the Commissioner of Transportation.

AND FURTHER AMEND by deleting Item 2.6 of Title III-2 of Section 1 which reads as follows:

2.6 Tenn. Law Enforcement Planning Commission . . 1,216,300.00

AND by substituting instead the following:

2.6 Tenn. Law Enforcement Planning Commission . . . 216,300.00

AND by adjusting the subtotals and totals accordingly.

AND FURTHER AMEND by deleting Item 7 of Title III-20 of Section 1 which reads as follows:

7. Special Programs—Law Enforcement 442,300.00

AND by substituting instead the following:

7. Special Programs—Law Enforcement 1,442,300.00

AND by adjusting the subtotals and totals accordingly.

AND FURTHER AMEND by deleting in Section 34 the words and figures "Law Enforcement Planning Commission in Section 1, Title III-2.2, Item 2.6," and by substituting instead the words and figures "Department of Safety in Section 1, Title III-20, Item 7,".

AND FURTHER AMEND by deleting in Section 1, Title III-22 the words and figures "Item 14 of Section 10" and by substituting instead the words and figures "Item 13 of Section 10".

AND FURTHER AMEND by deleting the words and figures "Section 4-324 and 9-601 to 9-612 inclusive of the Tennessee Code Annotated", "Section 4-324 and 9-601 to 9-612, inclusive, of the Tennessee Code Annotated", "Section 4-324, and 9-601 to 9-612, inclusive, of the Tennessee Code Annotated", "Sections 4-324 and 9-601 to 9-612, inclusive, of the Tennessee Code Annotated", "Tennessee Code Annotated, Sections 4-324 and 9-601 to 9-612, inclusive" and "Sections 4-324 and 9-601 to 9-612, inclusive of the Tennessee Code Annotated" wherever they appear and by substituting instead the words and figures "Tennessee Code Annotated, Sections 4-3-1006 and 9-6-101 through 9-6-115".

AND FURTHER AMEND by deleting in Section 1, Title III-25 the words "Highway Planning, Development, and Safety Committee of the Senate" wherever they appear and by substituting instead the words "Transportation Committee of the Senate".

AND FURTHER AMEND by deleting in Section 1, Title III-27 the words and figures "Sections 67-201 through 67-2720" and by substituting instead the words and figures "Sections 67-2701 through 67-2720".

AND FURTHER AMEND by deleting in Item 1 of Section 9 the word "published" and by

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

substituting instead the word "publisher".

AND FURTHER AMEND by deleting the words and figures "SECTIONS 14. BE IT FURTHER ENACTED, That:" and by substituting instead the words and figures "SECTION 14. BE IT FURTHER ENACTED, That:".

AND FURTHER AMEND by deleting in Item 8 of Section 14 the words and figures "Tennessee Code Annotated, Section 14-2405" and by substituting instead the words and figures "Tennessee Code Annotated, Section 14-32-105".

AND FURTHER AMEND by deleting in Section 17 the words and figures "Section 4-327 of the Tennessee Code Annotated" and by substituting instead the words and figures "Tennessee Code Annotated, Section 4-3-1008".

AND FURTHER AMEND by deleting in Section 20 the words and figures "Sections 12-304—12-326, Tennessee Code Annotated" and by substituting instead the words and figures "Tennessee Code Annotated, Sections 12-3-101—12-3-119 and 12-3-204—12-3-208".

AND FURTHER AMEND by deleting in Item 6 of Section 25 the words and figures "Section 3-114, Tennessee Code Annotated" and by substituting instead the words and figures "Tennessee Code Annotated, Section 3-1-106".

AND FURTHER AMEND by deleting in Item 6 of Section 25 the words and figures "Section 3-702, Tennessee Code Annotated" and by substituting instead the words and figures "Tennessee Code Annotated, Section 3-7-102".

AND FURTHER AMEND by deleting Section 31 in its entirety and by renumbering subsequent sections accordingly.

AND FURTHER AMEND by deleting in Section 37 the words and figures "Section 4-1501, Tennessee Code Annotated" and by substituting instead the words and figures "Tennessee Code Annotated, Section 4-15-101".

AND FURTHER AMEND by deleting in Section 37 the words and figures "Section 4-1501 through 4-1501, inclusive, Tennessee Code Annotated" and by substituting instead the words and figures "Tennessee Code Annotated, Sections 4-15-101 through 4-15-107".

AND FURTHER AMEND by deleting in the seventh paragraph of Section 37 the words and figures "of Section 6 of this Act" and by substituting instead the words "of this section".

AND FURTHER AMEND by deleting in Item 2 of Section 38 the words and figures "The appropriation in Section 1, Title III-16, in the amount of \$125,000.00" and by substituting instead the words and figures "From the appropriation in Section 1, Title III-16, the amount of \$125,000.00."

AND FURTHER AMEND by deleting Item 13 of Section 39 in its entirety.

AND FURTHER AMEND by deleting from Title III-25 of Section 1 the following sentence:

The Commissioner of Finance and Administration shall report the allocation of any excess state funds to the Funding Board which body is authorized to cancel bond authorizations.

AND by substituting in lieu thereof the following:

The Commissioner of Finance and Administration shall report the allocation of any excess state funds to the Funding Board which body is

authorized and directed to cancel bond authorizations.

AND FURTHER AMEND by deleting Item 14 of Section 10 in its entirety and by renumbering subsequent items accordingly.

AND FURTHER AMEND by deleting in Item 15 of Section 10 the figure "1980" and by substituting instead the figure "1981".

AND FURTHER AMEND by deleting the word "identify" in Item 15(2) of Section 14 and by substituting instead the word "identity".

AND FURTHER AMEND by deleting the word "consideres" from Section 20 and by substituting instead the word "considers".

AND FURTHER AMEND by inserting the word "paid" immediately following the word "previously" in the third sentence of Section 21.

AND FURTHER AMEND by deleting the word "Regests" in the Item 2 of Section 39 and by substituting instead the word "Regents".

AND FURTHER AMEND by adding the following new item to Section 14:

Item ____ . Any personal services, professional services or consultant services contracts concerning management services of all types, management studies, planning services, public relations, evaluations, systems designs, data processing, auditing or accounting services entered into by an executive department or agency of state government shall be executed by the head of such department or agency and shall be subject to the approval by the Commissioner of Finance and Administration and the Comptroller of the Treasury. No funds appropriated under this act to a department or agency shall be used for such contracts unless such approval is received or as otherwise authorized by the approving officials.

AND FURTHER AMEND by adding the following as an appropriately numbered item at the end of Section 10:

Item ____ . From the funds appropriated by the provisions of this act, the Medicaid offices which investigate fraud in Knoxville and Memphis shall be maintained at the current level of funding and at the current locations.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the Pleasant Hill Historical Society of the Cumberlands, Inc. for the sole purpose of preservation and restoration of Pioneer Hill. The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item ____ . From the funds appropriated to the Department of Education by the provisions of this act, there is transferred to the Board of Regents the sum of six hundred fifty-five thousand three hundred fifty-seven dollars (\$655,357) for the sole purpose of effectuating the provisions of House Bill No. 512 (Senate Bill No. 759). This item shall not take effect

unless House Bill No. 512 (Senate Bill No. 759) becomes law.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . There is appropriated the sum of three hundred nine thousand dollars (\$309,000) to the Department of Public Health for the purpose of contracting with Meharry Medical College and the Memphis Regional Sick Cell Council, Inc. for the study, research and treatment of drepanocytomia (sickle cell anemia). From such appropriation, two hundred nine thousand dollars (\$209,000) shall be allocated for contracting with Meharry Medical College and one hundred thousand dollars (\$100,000) shall be allocated for contracting with the Memphis Regional Sick Cell Council, Inc. The appropriation made in this item is inclusive of any other funds appropriated by this act and shall be the total amount appropriated for such purpose.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . There is appropriated the sum of one hundred thousand dollars (\$100,000) to support the preventive medicine residency program at Meharry Medical College. This appropriation is inclusive of any other funds appropriated to the program by the provisions of this act and shall be the total amount appropriated to the program.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . There is appropriated the sum of five hundred sixteen thousand seven hundred fifty dollars (\$516,750) to support the family practice residency program at Meharry Medical College. This appropriation is inclusive of any other funds appropriated to the program by the provisions of this act and shall be the total amount appropriated to such program. Notwithstanding the provisions of Tennessee Code Annotated, Section 49-4213(b), during the fiscal year 1981-82 the funding per year per resident in training may exceed fifteen thousand dollars (\$15,000) but shall not exceed twenty thousand dollars (\$20,000).

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the Department of Mental Health and Mental Retardation for the sole purpose of contracting with the Meharry Community Mental Health Center to provide community mental health services.

AND FURTHER AMEND by adding the following new item to the appropriate section to read as follows:

Item ____ . In addition to any other appropriations made by the provisions of this act, there is appropriated ninety thousand three hundred dollars (\$90,300) to the Department of Correction for teacher salary improvement pursuant to Senate Bill No. 23/House Bill No. 496. The appropriation made in this item shall not revert to the General Fund at the end of the fiscal year but shall remain available until expended in accordance with the provisions of this item. This appropriation is subject to Senate Bill No. 23/House Bill No. 496 becoming law.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

Item ____. In addition to any other funds appropriated by the provisions of this act, from nonrecurring revenues, there is hereby appropriated the sum of one million three hundred fifty thousand dollars (\$1,350,000) to be allocated as follows:

State Office Buildings—Safety	
Code Compliance	\$ 20,000
504 Compliance (Handicapped)	92,000
Ellington Weights and Measures	
Lab—Improvements	45,000
Pinson Mounds Archaeological	
Area—Supplemental Funding	130,000
Dunbar Cave Natural Area (Dam only)	50,000
Tennessee State Prison	
—Cell Block Upgrade	250,000
Tri-Cities STI Parking Lot Constructon	48,000
Knoxville Armory—Electrical Repairs	50,000
Maryville and Lawrenceburg	
Armories—Rifle Ranges	34,000
Union City Armory—Wash Rack	
and Storage Building	25,000
Covington Armory—Parking Area	35,000
Chattanooga Petroleum Laboratory	106,000
Welcome Centers—Exhibits and Displays	200,000
DSCC—Campus Renovations	125,000
TSU—Auditorium Renovation—	
Administration Building	140,000

AND FURTHER AMEND by adding the following language at the end of Item 13 of Section 14:

Provided, however, that the provisions of this item shall not apply to the provisions of Senate Bill No. 555 (House Bill No. 533).

AND FURTHER AMEND by adding a new section to read:

SECTION ____. BE IT FURTHER ENACTED, That:

Item 1. From the funds appropriated for the capital outlay purposes to the Department of Conservation in Section 1, Title III-24 of this act, it is the legislative intent to make the following changes in the projects presented in the State of Tennessee's 1981—82 Budget Document: a) Reduce Harrison Bay State Park—Renovation from \$136,000.00 to \$131,000.00; b) Reduce Booker T. Washington State Park—Renovation from \$71,000.00 to \$66,000.00; c) Reduce Fall Creek Falls—Bikeway from \$34,000.00 to \$25,000.00; d) Delete Over Mountain Victory Trail \$40,000; e) Delete Indian Mountain State Park—Maintenance Building \$5,000.00; f) Increase Exhibits—State Parks from \$50,000.00 to \$104,000.00; and g) Increase Nathan Bedford Forrest Historical Area from \$7,000.00 to \$17,000.00.

Item 2. It is the legislative intent to make the following changes in the capital outlay projects presented in the State of Tennessee's 1981—82 Budget Document for the Department of Mental Health and Mental Retardation: a) Delete Community Services for Exceptional Citizens, Inc.—New Facility \$180,000.00; b) Add Arlington Developmental Center—

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

Kitchen air-conditioning equipment \$120,000.00; and c) Moccasin Bend Mental Health Institute—Kitchen air-conditioning equipment \$60,000.00.

Item 3. The capital outlay funds appropriated in Chapters 435 and 437, Public Acts of 1979, to the Department of Correction for a dormitory at the Tennessee Reception and Guidance Center are hereby reappropriated to provide for additional dormitory space within existing facilities for adults.

Item 4. Any unexpended capital outlay funds appropriated by previous general assemblies for completed or discontinued projects are hereby reappropriated subject to approval by the State Building Commission of each project to be provided for from said funds.

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item ____ . From the funds appropriated to the University of Tennessee system for major maintenance, there is allocated the sum of \$250,000 for the construction of utility lines at the University of Tennessee at Martin.

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item ____ . Notwithstanding any provision of law or this act to the contrary, any funds deposited or credited to the general fund and not expended or obligated by the disciplinary board of the Supreme Court shall not revert to such fund on June 30, 1981 but shall remain available to such board to effectuate the purposes for which it was created. All funds under the control of such board shall be subject to audit by the Comptroller of the Treasury.

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item ____ . In addition to the funds appropriated by the provisions of this act, there is appropriated to the Board of Paroles, in addition to appropriations made under Title III-3.9 of Section 1, the sum of twenty thousand dollars (\$20,000.00) for the specific purpose of providing legal advice to the Board at parole revocation or rescission hearings, and to provide additional reports of parole eligibility.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to any funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the Department of Transportation for the sole purpose of resurfacing, widening, and improving Highway 61 in Shelby County from the Mississippi line to I-240. Such appropriation shall be subject to the approval of the Department of Transportation and the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item ____ . Notwithstanding any other provision of law to the contrary, each state employee presently required to pay a commuting charge for the use of a state automobile shall be required, upon passage of this act, to pay the cost to the state of owning and operating such vehicle, in accordance with a reimbursement rate established by the Commissioner of Finance and Administration which shall be no less than the rate paid to

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

reimburse general state employees for mileage pursuant to the comprehensive travel regulations.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item ____ . In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Department of Education the sum of fifteen thousand dollars (\$15,000) for the sole purpose of providing an educational grant to fund the Tennessee Academy of Science. The appropriation made in this item shall be subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding to the end of Section 11 the following item:

Item ____ . From the funds appropriated in Section 1, Title III-25, Item 1.10, there is hereby allocated a sum sufficient to the Department of Transportation for the sole purpose of paving the industrial park access road for the City of Springfield Industrial Park in Robertson County. The appropriation made in this item is subject to the approval of the Commissioner of Transportation.

AND FURTHER AMEND by adding the following at the end of Section 11 as an appropriately numbered item:

Item ____ . From the funds available to the Department of Transportation, the department shall begin pre-planning of implementation and construction of two (2) exit ramps from Interstate 40 on the east and westbound sides where Interstate 40 crosses Prosser Road in Knox County. The exit ramps shall not be constructed unless the right-of-way is provided free to the State of Tennessee. The appropriation made in this item is subject to the approval of the Commissioner of the Department of Transportation.

AND FURTHER AMEND by deleting from Section 1, Title III-16 the following words and figures:

Medicaid Administration \$7,918,400.00

AND by substituting in lieu thereof the following:

Medicaid Administration \$7,633,400.00

AND FURTHER AMEND by deleting from Title III-26 of Section 1 the following words and figures:

Amortization of Authorized and
Unissued Bonds \$18,412,000.00

AND by substituting in lieu thereof the following:

Amortization of Authorized and
Unissued Bonds \$18,642,000.00

AND FURTHER AMEND by deleting from Section 33 the figure "\$25,000,000.00" and substituting instead the figure "\$30,000,000.00".

AND FURTHER AMEND by deleting from Section 1, Title III-9, Items 2.1a., 2.3a., and 2.3b. which read:

2.1 State Foundation Program

- a. Tennessee Foundation Program\$ 469,009,900.00

2.3 Retirement and Pensions

- a. Retirement Accumulation Fund.....\$ 136,797,000.00
b. Social Security Contributions..... 44,217,300.00

AND substituting instead and changing the subtotals accordingly:

2.1 State Foundation Program

- a. Tennessee Foundation Program\$ 485,499,900.00

2.3 Retirement and Pensions

- a. Retirement Accumulation Fund.....\$ 118,747,000.00
b. Social Security Contributions..... 45,777,300.00

AND FURTHER AMEND by adding a new item to the appropriate section to be appropriately numbered and to read as follows:

Item _____. Notwithstanding any provision of the law to the contrary, any institution which receives state funds appropriated by the provisions of this act shall be subject to audit by the Comptroller of the Treasury as to the expenditure and obligation of such funds.

AND FURTHER AMEND by adding an additional item to the appropriate section to read as follows:

Item _____. In addition to any other appropriation made by the provisions of this act, there is appropriated a sum sufficient to the Department of Correction for the sole purpose of funding one (1) additional chaplain at each of the following facilities: Tennessee State Prison, Turney Center, Nashville Regional, Highland Rim, Ft. Pillow State Farm, Bledsoe County Regional, and Morgan County Regional.

AND FURTHER AMEND by adding a new item to the appropriate section to be appropriately numbered and to read as follows:

Item _____. In addition to any other appropriation made in this act, there is hereby appropriated the following:

- a. An amount not to exceed \$20,476,900.00 to pay public school teachers an average gross salary increase of 7% on the state salary schedule under the Tennessee Foundation Program.
- b. An amount not to exceed \$11,665,500.00 to pay state employees, excluding higher education employees, an amount equivalent to grant an average minimum gross salary increase of 7%, including any benefits received under the provisions of Senate Bill No. 607—House Bill No. 419, Public Chapter No. ____.

- c. An amount of \$6,100,000.00 to higher education institutions for employee salaries to be allocated and paid to, or for the benefit of, each higher education institution according to a schedule developed by the Tennessee Higher Education Commission and approved by the Commissioner of Finance and Administration. This amount shall include any benefits received under the provisions of Senate Bill No. 607—House Bill No. 419, Public Chapter No. ____.
- d. An amount of \$3,000,000.00 to higher education institutions for general support to be allocated and paid to, or for the benefit of, each higher education institution according to a schedule developed by the Tennessee Higher Education Commission and approved by the Commissioner of Finance and Administration. It is the legislative intent that this be a one-time appropriation.

AND FURTHER AMEND by adding the following new section to be appropriately numbered:

SECTION ____ . To the extent state general fund revenues exceed general fund requirements for the fiscal year ending June 30, 1981, before considering the provisions of Section 29 of this act, there is hereby appropriated the following amounts for the following purposes in the following order:

Item 1. In addition to the other appropriations made in this act, there is hereby appropriated to the Department of Education, Regional Libraries, an amount of \$750,000, to be used as follows:

- A. \$320,000 for the FLICS Program (Film Library Cooperative Program), and
- B. \$430,000 for the delivery of library services to the economically disadvantaged in nursing homes, nutrition centers, Headstart classes, publicly supported day care centers, and low-rent housing areas.

Item 2. There is hereby appropriated a sum sufficient to fund the Revenue Fluctuation Reserve Fund in a total amount not to exceed \$32,000,000.

Item 3. In addition to any other appropriation made by the provisions of this act, there is hereby appropriated the sum of one million dollars (\$1,000,000) to the Law Enforcement Planning Commission or its successor for the payment to eligible local units of government which have required all police officers to complete during calendar year 1981 an in-service training course appropriate to each officer's rank and responsibility, commensurate with the size and location of his department, of at least 40 hours duration at a school certified or recognized by the Commission.

AND FURTHER AMEND by adding the following new items to the appropriate section to be appropriately numbered and to read as follows:

Item ____ . From the funds transferred to the General Fund from the Tennessee Industrial Development Authority, pursuant to Senate Bill No. 1115/House Bill No. 1315, there is hereby appropriated an amount of \$3,000,000 to fund appropriations made herein.

Item ____ . There is hereby appropriated from the Debt Service Fund an amount of \$11,796,000 to fund appropriations made herein. The Commissioner of Finance and Administration is authorized to transfer this amount to the General Fund and/or Capital Projects Fund.

Item ____ . There is hereby appropriated \$4,700,000 from bid-rigging settlements to fund appropriations made herein. The Commissioner of Finance and Administration is authorized to transfer this amount to the General Fund and/or Capital Projects Fund.

AND FURTHER AMEND by deleting Section 40 of the bill in its entirety and substituting in lieu thereof the following:

SECTION 40. BE IT FURTHER ENACTED, That salaries provided under the appropriations made by this act under Sections 1 and 4 to the respective departments, institutions, offices and agencies shall be fixed as under the provisions of Section 8-23-101.

The salary of the Attorney General and Reporter shall be the same as that of an Associate Justice of the Supreme Court. Within the appropriations made for that office under Section 1 of this act, the salaries of the attorneys, legal and clerical staff and other employees shall be fixed by the Attorney General. The expenditures provided for herein shall not exceed the amount of the appropriation to the Office of the Attorney General and Reporter.

Within the appropriations herein made, the salaries of the subordinates and the employees of the Treasurer, Comptroller, Secretary of State, the Public Service Commission, and the Fiscal Review Committee shall be fixed by the heads thereof, respectively, and the salaries of the employees and subordinates of the Joint Legislative Services Committee shall be fixed by such committee in accordance with the provisions of Tennessee Code Annotated, Title 3, Chapters 10 through 14, inclusive; all other salaries and wages in departments, institutions, offices and agencies shall be approved by the Commissioner of Personnel, provided, however, that the establishment of salary ranges within such departments, institutions, offices and agencies shall be subject to the approval of the Commissioner of Finance and Administration. To the extent that additional funds are appropriated or are generated within a department or agency by abolishing vacant and funded positions, subject to review and approval of the Commissioner of Finance and Administration and the Commissioner of Personnel, salary increases may be granted from such funds.

Salaries to be paid out of the appropriations made to the education institutions shall be fixed as follows:

The President and the staff of the University of Tennessee, by the Board of Trustees; the Chancellor, the Presidents and staffs of the State Community Colleges and the Universities, by the Board of Regents; and the Director and staffs of the technical institutes, by the State Board of Education; all of which shall be within the appropriations provided and available for said purposes. Provided, however, it is the intent of the General Assembly that the compensation for non-faculty and nonprofessional, administrative employees shall be adjusted in a manner similar to the manner in which the compensation of regular, full-time state employees is adjusted. Prior to approval of such salaries, the respective Boards shall obtain approval of the

Commissioner of Finance and Administration. The Commission on Higher Education must also approve the salaries for the employees of the University of Tennessee and State Community Colleges and Universities.

All salaries and wages of other educational institutions shall be approved by the Commissioner of Personnel. No salary of any officer, agent or employee shall be supplemented in any way or in any manner whatsoever. Except as otherwise provided by law and with the appropriation made in this act, state employees' compensation and benefits shall be adjusted in accordance with the following requirements and/or limitations:

(a) For all state employees who are eligible for membership in the Tennessee Consolidated Retirement System, for service rendered from and after July 1, 1981, the State of Tennessee shall assume employee contributions up to five percent (5%) of the employee's earnable compensation in accordance with the terms of Senate Bill No. 607/House Bill No. 419, if such bill becomes law.

(b) Effective July 1, 1981, the salary steps in the state's basic compensation plan, the executive compensation plan, and the physicians' and dentists' compensation plan shall be increased by two percent (2%).

(c)(1) Each state employee eligible for longevity payments under the provisions of Tennessee Code Annotated, Section 8-23-206, shall receive a longevity supplement equal to fifteen dollars (\$15) times total years of service. Total years of service, for purposes of this payment, shall be computed in accordance with Tennessee Code Annotated, Section 8-23-206 and rules promulgated pursuant thereto. In no event shall total years of service for purposes of this payment exceed fifteen (15) years. This payment shall be made in addition to longevity payments authorized in Tennessee Code Annotated, Section 8-23-206.

(c)(2) Each commissioned member of the Department of Safety and the Tennessee Bureau of Identification eligible for longevity payments under the provisions of Tennessee Code Annotated, Section 4-7-111, shall receive an additional longevity supplement equal to that given to state employees pursuant to subsection (c)(1) of this section. This supplement shall be paid in the same manner that longevity payments pursuant to Tennessee Code Annotated, Section 4-7-111, are paid; provided, however, that this supplement shall not be paid for any years of service in excess of fifteen (15) years.

(d) For the 1981-82 academic year, each category of training and experience in the state salary schedule for teachers under the Tennessee Foundation Program shall be adjusted seven percent (7%).

(e) The Commissioner of Finance and Administration and the Commissioner of Personnel are directed to develop and implement a plan for employees who, by virtue of their employment status, are ineligible for membership in the Tennessee Consolidated Retirement System, which provides salary increases that would approximate the cost of assuming the employee's retirement contributions pursuant to Senate Bill No. 607/House Bill No. 419, if passed, were such

employees eligible to participate in the Tennessee Consolidated Retirement System.

(f) The Department of Personnel and the Department of Finance and Administration shall report monthly to the Senate and House Finance, Ways and Means Committees and the Fiscal Review Committee on bona fide employee promotions, showing clearly by department the names and titles of employees promoted and the increases in pay as a result of such promotions.

Such report shall also include employee transfers, dismissals, terminations, demotions, separations, and position abolishments showing clearly by department the names and titles of the employees affected, and such employees' position subsequent to such actions. Such report shall be furnished to the Speaker of the House and the Speaker of the Senate and to any other member of the General Assembly upon such member's request. Such report shall be furnished monthly.

Respectfully submitted,

FOR THE SENATE:

/s/ Sen. Ben Atchley
/s/ Sen. Robert Burleson
/s/ Sen. Riley C. Darnell
/s/ Sen. John N. Ford
/s/ Sen. Milton H. Hamilton, Jr.
/s/ Sen. Douglas Henry, Jr.
/s/ Sen. Carl R. Moore
/s/ Sen. John R. Rucker
/s/ Sen. Lowell Thomas

FOR THE HOUSE:

/s/ Rep. John T. Bragg
/s/ Rep. Harper Brewer, Jr.
/s/ Rep. S. Thomas Burnett
/s/ Rep. Steve Cobb
/s/ Rep. Clifford Henry
/s/ Rep. James M. Henry
/s/ Rep. James R. McKinney
/s/ Rep. Jimmy Naifeh
/s/ Rep. Shelby A. Rhinehart
/s/ Rep. Loy L. Smith

Mr. Bragg moved that the Report of the Conference Committee on Senate Bill No. 997 be adopted and made the action of the House.

Mr. McKinney moved the previous question, which motion failed by the following vote:

Ayes	54
Noes	36
Present and not voting	6

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bivens, Bragg, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gill, Henry (Blount), Hillis, Hurley, Jared, Jones, Kelley, Love, Lowe, McKinney, McNally, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Owen, Pickering, Pruitt, Rhinehart, Robinson (Hamilton), Robinson (Washington), Shirley, Stallings, Starnes, Sterling, Tanner, Turner, Webb, Whitson, Withers, Wix, Work and Yelton—54.

Representatives voting no were: Bell (Knox), Bewley, Carter, Clark (Sumner), Copeland, Duer, Ford, Frensley, Gaia, Harrill, Henry (Roane), Hudson, Huskey, Johnson, Kent, King (Washington), Lashlee, McAfee, Montgomery, Moore, Naifeh, Percy, Richardson, Robertson, Robinson (Davidson), Scruggs, Severance, Shockley, Small, Smith, Spence, Ussery, Wallace, Wheeler, Wolfe and Wood—36.

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

Representatives present and not voting were: Brewer, Kernell and Mr. Speaker McWherter—3.

Mr. Robertson moved the previous question, which motion prevailed by the following vote:

Ayes	71
Noes	11
Present and not voting	6

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Ford, Frensley, Gaia, Gill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Love, Lowe, McKinney, McNally, Miller, Montgomery, Murphy (Davidson), Murray, Naifeh, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Shockley, Small, Spence, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Work and Yelton—71.

Representatives voting no were: Bell (Knox), Covington, Harrill, Kent, King (Washington), Lashlee, Moore, Scruggs, Severance, Smith and Wood—11.

Representatives present and not voting were: Clark (Sumner), Duer, Kernell, Owen, Sterling and Mr. Speaker McWherter—6.

Thereupon, the motion to adopt the Conference Committee Report on Senate Bill No. 997 and make it the action of the House prevailed by the following vote:

Ayes	77
Noes	6
Present and not voting	10

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Ford, Gill, Harrill, Henry (Blount), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, Lashlee, Love, Lowe, McKinney, McNally, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Shockley, Small, Stallings, Starnes, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Work, Yelton and Mr. Speaker McWherter—77.

Representatives voting no were: Frensley, Gaia, King (Washington), Severance, Smith and Spence—6.

Representatives present and not voting were: Chiles, Clark (Sumner), Copeland, Duer, Henry (Roane), McAfee, Moore, Sterling, Ussery and Wood—10.

A motion to reconsider was tabled.

EXPLANATION OF VOTE

Under House Rule 28, explanation of vote, I would like to explain my vote on Senate Bill No. 997, the state appropriations bill.

It is my opinion that the budget is not in balance. Though I realize that the brilliant

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

financial minds that work for this state could balance a ball on their nose and balance any budget we pass, I do not feel that we are acting responsibly by adding millions of dollars in new appropriations to the budget in the waning weeks of the session.

We have been called upon to reduce taxes. We have raised taxes. We have been called upon to reduce government spending. We have increased government spending.

Therefore, I find it, though deeply regrettable, that I must vote against the appropriations bill which will fund the services of this state for the next fiscal year.

I request that these remarks be spread upon the Journal.

Rep. John W. Spence

STATEMENT ON SENATE BILL NO. 997

MR. SPEAKER:

This bill, when introduced, balanced revenues and reserves against expenditures; since then it has been substantially changed.

In a wild scramble to "take political credit" for certain functions of government, we have lost our good judgment; a difference of opinion as to how to expend formerly unestimated revenues has degenerated to the point of this House being called upon to vote for an unbalanced budget.

There are those who would argue that the budget is balanced; if mirrors, manipulations and plugged figures are accepted as legitimate accounting principles, perhaps it is.

It is my judgment that we cannot manufacture money by such tactics, that this budget is out of balance by at least \$6 million, and by some estimates a great deal more.

This does not argue that we should not, to our best ability, provide for state personnel and programs, but that we should also be honest with our citizens.

This proposal requires that we take \$6.6 million of money raised by gas taxes out of the sinking fund where it should legally be used to pay for capital projects then spend it for operating expenses; it will take a large part of the reserve which we set aside for revenue fluctuations and spend it for other purposes.

The citizens of this state in 1978 directed us by constitutional amendment to balance the budget; this one is not balanced, and therefore is unconstitutional; I took an oath to uphold the constitution, cannot in good conscience vote for this budget, and refuse to do so.

If this unconstitutional act becomes law, it should be recognized for the devious circumvention of sound accounting practices and constitutional mandates - which it really is.

Cliff Frensley

Paul Scruggs

Sharon Bell

Bobby Wood

Bill McAfee

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

Loy Smith

Charlie Severance

David Copeland

Jim Henry

U. A. Moore

Barry Sterling

John Chiles

David L. Ussery

Herman Wolfe

Ray Clark

Joe Kent

Shirley Duer

Ralph Duncan

Mr. Burnett moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 157 out of order, which motion prevailed.

Senate Joint Resolution No. 157—Relative to recess, 92nd General Assembly.

Mr. Burnett moved that Senate Joint Resolution No. 157 be concurred in, which motion prevailed by the following vote:

Ayes	90
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—90.

Representative voting no was: King (Washington)—1.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

725—To establish hunting and fishing license fees.

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

The Speaker appointed a Conference Committee composed of Senators Gillock, Albright and Cutrer to confer with a like Committee from the House to resolve the differences of the two bodies on House Bill No. 725.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE BILL NO. 725

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 1166/House Bill No. 725 have met and recommend that House Amendment No. 1 and Senate Amendments Nos. 1 and 2 be adopted, and that Senate Amendments Nos. 8, 9 and 10 be deleted.

Respectfully submitted this 27th day of May, 1981.

FOR THE SENATE

Sen. Ed Gillock

Sen. Ray Albright

Sen. T. Tommy Cutrer

FOR THE HOUSE

Rep. I. V. Hillis

Rep. Robert Stallings

Rep. Larry Huskey

Mr. Hillis moved that the Report of the Conference Committee on House Bill No. 725 be adopted and made the action of the House.

Mr. Bewley moved the previous question, which motion prevailed by the following vote:

Ayes	74
Noes	12

Representatives voting aye were: Akard, Baker, Bell (Knox), Bewley, Bivens, Bragg, Brewer, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Dills, Disspayne, Duer, Ellis, Ford, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Jones, Kelley, Kent, Kernell, King (Washington), Love, Lowe, McAfee, McKinney, McNally, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter—74.

Representatives voting no were: Bell (Wilson), Crain, Frensley, Huskey, Johnson, Lashlee, Miller, Robertson, Spence, Ussery, Wallace and Work—12.

Thereupon, the motion to adopt the Conference Committee Report on House Bill No. 725 and make it the action of the House prevailed by the following vote:

Ayes	66
Noes	22

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

Present and not voting 2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bivens, Brewer, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Jared, Jones, Kelley, Kernell, Love, Lowe, McAfee, McKinney, McNally, Montgomery, Murphy (Davidson), Murray, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Work and Yelton—66.

Representatives voting no were: Bell (Wilson), Bewley, Bragg, Burnett, Crain, Davidson, Frensley, Gaia, Gill, Huskey, Johnson, Kent, King (Washington), Lashlee, Miller, Moore, Naifeh, Phillips, Robertson, Spence, Ussery and Wood—22.

Representatives present and not voting were: Covington and Wix—2.

A motion to reconsider was tabled.

Mr. Pickering moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 262 out of order, which motion prevailed.

House Joint Resolution No. 262—Relative to naming bridge, Highway 149, "G.G. Norfleet Bridge"—By Pickering and Ussery.

Mr. Pickering moved that House Joint Resolution No. 262 be adopted, which motion prevailed by the following vote:

Ayes	89
Noes	1
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—89.

Representative voting no was: King (Washington)—1.

Representative present and not voting was: Bell (Knox)—1.

A motion to reconsider was tabled.

Mr. Wheeler moved that the rules be suspended for the purpose of introducing House Resolution No. 78 out of order, which motion prevailed.

House Joint Resolution No. 78—Relative to honoring Yvette Allen—By Wheeler.

On motion, the rules were suspended for the immediate consideration of the resolution.

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

On motion of Mr. Wheeler, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Owen moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 263 out of order, which motion prevailed.

House Joint Resolution No. 263—Relative to memory, Thad Cheatham—By Owen, Scruggs, Smith, Miller, Bell (Knox) and Severance.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Owen, the resolution was adopted.

A motion to reconsider was tabled.

SECOND ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—96.

INTRODUCTION OF BILLS

House Bill No. 1390—To establish safety devices, railroad crossings—By Crain.

Passed first consideration.

House Bill No. 1391—To require warning devices, railroad crossings—By Crain.

Passed first consideration.

House Bill No. 1392—To amend Section 5-5-102, Code—By Webb.

Passed first consideration.

House Bill No. 1393—To authorize veterans preference points, civil service test—By Dills, Hillis, Davis (Gibson), Crain, Lashlee, Tanner, Naifeh, Wallace and Stallings.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 1370—To regulate compensation, county clerk, certain counties.

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

Passed first consideration.

Senate Bill No. 1394—To create office, Judicial Referee, certain counties.

Passed first consideration.

SENATE BILL ON SECOND CONSIDERATION

Senate Bill No. 1130—To enact Foster Care Contributions Act of 1981.

Passed second consideration and referred to Committee on General Welfare.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

170—To amend Title 9, Chapter 8, Code.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

725—To establish hunting and fishing license fees.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

1035—To make certain provisions, diesel fuel.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

1098—To authorize certain cities to contract for services.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

LOCAL BILL REFERRED

The Speaker announced that he had referred House Bill No. 1343 to the Committee on State and Local Government.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 882, 963, 989, 1003, 1325, 1340, 1342, 1355, 1360, 1364, 1365, 1370, 1371, 1381 and 1385; and House Joint Resolutions Nos. 3, 227, 229, 235, 236, 241, 242, 243 and 250; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 882, 963, 989, 1003, 1325, 1340, 1342, 1355, 1360, 1364, 1365, 1370, 1371, 1381 and 1385; and House Joint Resolutions Nos. 3, 227, 229, 235, 236, 241, 242, 243 and 250.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 779, 1145, 1345, 1357, 1373, 1378 and 1382; and House Joint Resolutions Nos. 228, 244, 245 and 248; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 779, 1145, 1345, 1357, 1373, 1378 and 1382; and House Joint Resolutions Nos. 228, 244, 245 and 248.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 779, 882 and 1003, all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 779, 882 and 1003, for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

WEDNESDAY, MAY 27, 1981—54th LEGISLATIVE DAY

SPONSOR ADDED

Without objection, the rules were suspended to allow the following member to add his name as sponsor to the bill as indicated below, the prime sponsor having agreed to such addition:

House Bill No. 1164—Huskey.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolutions Nos. 262 and 263; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

1086—To amend Section 55-6-104, Code.

The Speaker appointed a Conference Committee composed of Senators Koella, O'Brien and Cutrer to confer with a like Committee from the House in resolving the differences of the two bodies on House Bill No. 1086.

CLYDE W. McCULLOUGH, JR.
Chief Clerk.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, June 17, 1981: House Bill No. 1164 and House Joint Resolution No. 252.

GILL, *Chairman.*

Mr. Burnett moved that pursuant to Senate Joint Resolution No. 157, the House stand in recess until 12:00 o'clock noon on Wednesday, June 17, 1981, which motion prevailed.

INTERIM ACTION

MAY 28—JUNE 16, 1981

Pursuant to Senate Joint Resolution No. 157, the House stood in recess from May 27, 1981 until June 17, 1981.

The following bills and resolutions were enrolled, signed by the Speakers, transmitted to the Governor, and returned from the Governor during the recess:

MAY 28, 1981

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 434, 911, 1091, 1269, 1321, 1326, 1328, 1329, 1330, 1331 and 1339, with his approval.

JULIA GIBBONS,
Counsel to the Governor.

MAY 28, 1981

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 21, 71, 170, 267, 318, 510, 601, 725, 1024, 1035, 1098, 1362, 1369, 1383, 1384, 1386 and 1387; House Resolutions Nos. 78, 79 and 80; and House Joint Resolutions Nos. 99, 171, 240, 254, 256, 257, 258, 259, 260 and 261; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MAY 29, 1981

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 21, 71, 170, 267, 318, 510, 601, 725, 1024, 1035, 1098, 1362, 1369, 1383, 1384, 1386 and 1387; House Resolutions Nos. 78, 79 and 80; and House Joint Resolutions Nos. 99, 171, 240, 254, 256, 257, 258, 259, 260 and 261.

MAY 28—JUNE 16, 1981—INTERIM ACTION

MAY 29, 1981

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 779 and 1003, with his approval.

JULIA GIBBONS,
Counsel to the Governor.

JUNE 3, 1981

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 54, 219, 228, 432, 496, 501, 515, 547, 584, 603, 630, 668, 755, 763, 792, 882, 958, 968, 981, 1032, 1073, 1078, 1147, 1267, 1279 and 1282, with his approval.

JULIA GIBBONS,
Counsel to the Governor.

JUNE 4, 1981

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 21, 71, 170, 267, 318, 510, 601, 725, 963, 989, 1024, 1035, 1098, 1145, 1325, 1340, 1342, 1345, 1355, 1357, 1360, 1362, 1364, 1365, 1369, 1370, 1371, 1373, 1378, 1381, 1382, 1383, 1384, 1385, 1386 and 1387; also, House Joint Resolutions Nos. 3, 99, 171, 227, 228, 229, 235, 236, 240, 241, 242, 243, 244, 245, 248, 250, 254, 256, 257, 258, 259, 260 and 261; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

JUNE 4, 1981

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 21, 71, 170, 267, 318, 510, 601, 725, 963, 989, 1024, 1035, 1098, 1145, 1325, 1340, 1342, 1345, 1355, 1357, 1360, 1362, 1364, 1365, 1369, 1370, 1371, 1373, 1378, 1381, 1382, 1383, 1384, 1385, 1386 and 1387; and House Joint Resolutions Nos. 3, 99, 171, 227, 228, 229, 235, 236, 240, 241, 242, 243, 244, 245, 248, 250, 254, 256, 257, 258, 259, 260 and 261; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

JUNE 4, 1981

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 31, 158, 175,

MAY 28—JUNE 16, 1981—INTERIM ACTION

191, 420, 607, 753, 997, 1022, 1061, 1115, 1174, 1323 and 1342; also, Senate Joint Resolutions Nos. 56, 154, 155 and 157; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

JUNE 4, 1981

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 31, 158, 175, 191, 420, 607, 753, 997, 1022, 1061, 1115, 1174, 1323 and 1342; and Senate Joint Resolutions Nos. 56, 154, 155 and 157.

JUNE 5, 1981

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 224, 266, 322, 443, 479, 557, 716, 724, 729, 892, 926, 983, 1036, 1105, 1113, 1319, 1320, 1324 and 1327; and House Joint Resolutions Nos. 157, 158 and 232, with his approval.

JULIA GIBBONS,
Counsel to the Governor.

JUNE 8, 1981

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 12, with his approval.

JULIA GIBBONS,
Counsel to the Governor.

JUNE 8, 1981

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 583, without his signature.

JULIA GIBBONS,
Counsel to the Governor.

Dear Mr. Speaker,

I am returning House Bill No. 583 without my signature.

This bill states that any action involving real property in which the state or one of its agencies is a party may be filed in the county in which such property is located.

Under the provisions of this bill various types of administrative proceedings and review of administrative decisions could conceivably be held in all ninety-five counties of the state.

MAY 28—JUNE 16, 1981—INTERIM ACTION

The result would be significant cost to the state.

Sincerely,

Lamar Alexander

House Bill No. 583 becomes law without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

JUNE 9, 1981

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 146, without his signature.

JULIA GIBBONS,
Counsel to the Governor.

Dear Mr. Speaker,

I am returning House Bill No. 146 without my signature. It is up to the legislature to determine its level of expenses. Unless its actions are grossly out-of-line, respect for the doctrine of separation of powers suggests that the Governor not interfere with the legislature's judgment in such cases. The ballot box is the appropriate check on the wisdom of those legislative decisions.

Sincerely,

Lamar Alexander

House Bill No. 146 becomes law without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

JUNE 9, 1981

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 989, 1098, 1340, 1345, 1355, 1357, 1360, 1362, 1364, 1365, 1371, 1373, 1378, 1381, 1383, 1384, 1385, 1386 and 1387; and House Joint Resolutions Nos. 3, 227, 228, 229, 240, 241, 242, 243, 244, 245, 248, 250, 256, 257, 259 and 261, with his approval.

JULIA GIBBONS,
Counsel to the Governor.

JUNE 12, 1981

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 21, 318, 510, 601,

MAY 28—JUNE 16, 1981—INTERIM ACTION

725, 1024, 1035, 1325, 1342, 1369, 1370 and 1382; and House Joint Resolutions Nos. 99, 171, 235, 254, 258 and 260; with his approval.

JULIA GIBBONS,
Counsel to the Governor.

JUNE 12, 1981

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 267; with his approval.

JULIA GIBBONS,
Counsel to the Governor.

Dear Mr. Speaker,

I am returning with my signature House Bill 267 which concerns the Institute for African Affairs at Tennessee State University. However, pursuant to my authority in Article 3, Section 18 of the Tennessee Constitution, I have reduced the sum appropriated in Section 5 from \$150,000 to zero.

I support continued funding for the Institute and approve of a related amendment to the appropriations bill that will raise the level of state support from \$48,000 to \$50,000 for 1981-82, contingent upon the enactment of HB 267. The additional appropriation contained in HB 267, however, is unwise at this time.

Section 5 of this bill would quadruple expenditures for this program not only at a time when resources for all educational programs are severely limited but also at a time when the priority given this Institute within TSU is questionable. If TSU desires to increase state support for this activity so substantially, then the University should include such an item in its own budget requests. Otherwise, if an additional \$150,000 were available for TSU in the new year, the Institute for African Affairs would not appear to be a priority use for those new dollars. There would doubtless be other, better ways to spend an additional \$150,000 at this time.

Furthermore, in a time of limited resources coordinated planning is absolutely essential within our higher education system, and the priorities of the institutions themselves and their governing boards are important. It is generally unwise to make piecemeal appropriations to the State's colleges and universities, beyond the coordinated recommendation of the Tennessee Higher Education Commission. Such isolated, piecemeal appropriations frustrate the aims of coordinated planning. Section 5 of this bill is such an appropriation.

Therefore, while I am signing HB 267, I am doing so only to trigger the \$50,000 item in the appropriations bill that requires it.

It should be remembered that the net effect of these actions nevertheless will be an actual increase of \$2,000 in the appropriation of state dollars for the Institute over the 1980-81 level.

Sincerely,

Lamar Alexander

MAY 28—JUNE 16, 1981—INTERIM ACTION

JUNE 12, 1981

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 1145, with his approval.

JULIA GIBBONS,
Counsel to the Governor.